The City Council of the City of Raleigh met in regular session on Tuesday, November 15, 1983, at 1:00 p.m., in the City Council Chamber of the Municipal Building with the following present:

Mayor York, Presiding
Ms. Babb
Mr. Calloway
Mr. Edwards
Mr. Jordan
Mr. Keller
Mr. Upchurch
Mr. Walters

Mayor York called the meeting to order and invocation was rendered by the Reverend Richard Brand, Associate Minister of First Presbyterian Church, after which the following matters were discussed with action taken as shown.

RECOGNITION OF SPECIAL AWARDS

COUNCIL ELECT - MEMBERS - WELCOMED

Mayor York welcomed Council Elect Members Mary Cates, Mort Congleton and Miriam Block to the meeting, indicating they would be taking office along with the rest of the Council on December 6, 1983.

COMMENDATION - JOHN WAKEFORD - RECOGNIZED

Mayor York called on John Wakeford, a senior at Needham Broughton High School, Don Moore, a representative of McDonald's, Inc., and Michael Spanel, Account Executive for Price/McNabb. Mayor York indicated John Wakeford has been selected as a member of the 1983 McDonald's All American High School Band, pointing out membership in this band is nationally recognized as one of the highest honors a band student can receive. He gave a history of the All American Band, pointing out as a member of this band, John will perform in the Macy's Thanksgiving Day Parade, Fiesta Bowl Parade in Phoenix, Tournament of Roses Parade in Pasadena, California, as well as other appearances. He indicated John's trip expenses will be paid by McDonald's, Inc.

CERTIFICATES OF APPOINTMENT - VARIOUS - MADE

Mayor York explained the presentation of Certificates of Appointment and presented the following certificates: Arts Commission - John H. Parker and Waltye Rusulala; Board of Adjustment - J. Tate Lanning, Jr.; Downtown Advisory Committee - Tony Lanzillo; City of Raleigh Falls Lake Technical Advisory Committee - Miriam Bailey and H. Joseph Kleiss; Greenway Commission - Dr. Thomas S. Elleman, David D. King and Juliette Newcombe.

CONSENT AGENDA

CONSENT AGENDA - APPROVED AS PRESENTED

Mayor York presented the Consent Agenda indicating all items are considered to be routine and may be enacted by one motion. If a Councillor requests discussion on an item, the item will be removed from the Consent Agenda and considered separately. He explained the vote on the Consent Agenda will be a roll call vote. No one asked to pull any items from the Consent Agenda. Mr. Upchurch moved Administration's recommendation on the items on the Consent Agenda be upheld. His motion was seconded by Mr. Calloway, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

The items on the Consent Agenda were as follows:

PW 1982-1 - C. C. MANGUM - CONTRACT RETAINAGE REDUCTION - APPROVED

It is requested that the Council approve a reduction in the retainage amount for C. C. Mangum on Contract PW 1982-1 from 10% to 5%. This contract work is 82.8% complete and the requested reduction is in keeping with Council policy.

Recommendation: Approval is recommended. Consent Agenda approval - Upchurch/Calloway - 8 ayes.

SANITARY SEWER EASEMENT EXCHANGE - CROWN OAKS TOWNHOMES - APPROVED CONDITIONALLY

This is a request for a sanitary sewer easement exchange in Crown Oaks Townhomes, Phase IV. The original easement was recorded in Book of Maps 1983, Page 1129. The easement exchange is necessary so that the existing sanitary sewer main will be in the center of an easement.

Recommendation: Administration recommends approval of the sanitary sewer easement exchange by the City Council, subject to proper advertisement by the City Clerk. Consent Agenda approval - Upchurch/Calloway - 8 ayes.

UMTA GRANT AMENDMENT - MAYOR AUTHORIZED TO SIGN GRANT AND SUBSEQUENT CONTRACTS

The Transportation Department recommends that the City Council authorize the Mayor to sign UMTA grant amendments and subsequent contracts covering the following:

a. Design and construction of modifications to the Transit Garage Body Shop to meet OSHA requirements so that bus painting can take place; estimated cost - $110,000.

b. Replacement of existing transit passenger car, 1976; estimated cost - $9,000.

c. Purchase of microcomputer to be used for transit and transportation planning, management control, and reporting; estimated cost - $10,000.

UMTA and City grant funds sufficient to cover the above costs are available from unused, current grant funds. A copy of a memorandum from the Transportation Director justifying this request was included with Council Members' Agenda packets.

Recommendation: Approval is recommended. Consent Agenda approval - Upchurch/Calloway - 8 ayes.

MARSH CREEK MAINTENANCE HEADQUARTERS - STORAGE BUILDING - ARCHITECTURAL CONTRACT APPROVED

The City Council approved, on October 4, 1983, the employment of McKimmon/Edwards/Hitch, Architects, to do the architectural design work on the storage building at the Marsh Creek Maintenance Headquarters.

Administration has negotiated with Mr. Jimmy Edwards of the above firm at a flat fee of $9,275.

Recommendation: Approval of the contract is recommended. If approved, a budgetary action in the amount of $10,275 is also recommended for architectural fees and miscellaneous expenses for construction of the storage shed. Consent Agenda approval - Upchurch/Calloway - 8 ayes. See Ordinance 227 TF 9.

ROBERTS COMMUNITY CENTER - BID FOR ROOF RENOVATION - CONTRACT AWARDED TO BAKER ROOFING COMPANY

Bids were received on November 1, 1983, to remove the old roof, install the vapor channel sheet, install the insulation and roofing system, and install new accessory metal at Roberts Park Community Center.

The following quotes were received:

Lanway Roofing Company	$23,980
Afghan Roofing Company	$23,652
Baker Roofing Company	$21,790

Recommendation: It is recommended that the low bid be awarded to Baker Roofing Company in the amount of $21,790. Also, a Capital Project Budgetary Action in the amount of $21,790 is recommended for approval. Consent Agenda approval - Upchurch/Calloway - 8 ayes. See Ordinance 227 TF 9.

FIRE STATION 17 - ADDITIONAL ARCHITECTURAL FEES - APPROVED - FUNDS APPROPRIATED

Due to the necessity to make modifications to the design of this facility, additional design services are necessary which extend beyond the base contract. The cost of this additional work is $1,500.

Recommendation: It is recommended that the Council approve an amendment to the Architect Contract with William C. McGee, Jr., for an additional $1,500 and approve the following transfer of funds:

From:		
34-2-3826-0107	Revenue Sharing F.S. 17 Contingency	$1,500.00
To:		
34-2-3826-0102	Revenue Sharing F.S. 17 B	$1,500.00

Consent Agenda approval - Upchurch/Calloway - 8 ayes. See Ordinance 227 TF 9.

E. M. JOHNSON WATER PLANT EXPANSION - CHANGE ORDER G-5 - MANAGER'S ACTIONS CONCURRED WITH

This was a change order that does not involve an increase or a reduction in cost. The change order is needed to mitigate problems of varying conditions on the site. Council Members received a copy of the change order in their Agenda packets. Concurrence with the Manager's recommendation on approving the change order is recommended. Consent Agenda approval - Upchurch/Calloway - 8 ayes.

TAXICAB OWNER'S PERMITS - APPROVED ON SECOND AND FINAL CONSIDERATION

The following applications were approved on the first reading during the November 3, 1983, Council Meeting. It would be appropriate for the Council to consider approval of these on a second and final consideration.

The following applications are for Franchise Renewals:

Boaz Odhiambo, Research Triangle Taxi/Transfer Company
Willie Dixon, Dixon's Cab Company
Daniel L. Hooker, United Cab Company
William Thompson, Associated Cab Company
George G. Mburu, Safeway Taxicab Company
Mrs. Johnsie D. Sherman, City Taxi Company
Luther J. Norton and Avery Donald Lee, Airline Taxi Company
Mrs. Claudette Sutton, Tri-City Express Taxi Company
Malachi Wilkins, Triangle Cab Company
Allen Willis, Sr., Rainbow Cab Company
L. W. Murray, Jr., American Cab Company
Ones E. Polk, Polk Limousine Service

The following applications are for Individual Owner's Permits:

Dixon's Cab Company

Samuel Jackson (Renewal)

Lincoln Cab Company

Bobbie L. Abercrombie

United Cab Company

Robert L. Rowland
Garland Watkins, Jr.

Associated Cab Company

Charlie Alton Robertson (Renewal)
Charles Isam Lyons (Renewal)
Clementine Johns Robertson (Renewal)
Leonard Alston (Renewal)
Garland Watkins, Jr. (Renewal)

Safeway Taxicab Company

Samuel I. Gachenje (Renewal)
Ernest Howard Vinson (Renewal)

City Cab Company

McKeever Dunn (Renewal)
James N. Melvin (Renewal)
Stephen Glenn, Jr. (Renewal)
William Thompson, Associated Cab Company
George G. Mburu, Safeway Taxicab Company
Mrs. Johnsie D. Sherman, City Taxi Company
Luther J. Norton and Avery Donald Lee, Airline Taxi Company
Mrs. Claudette Sutton, Tri-City Express Taxi Company
Malachi Wilkins, Triangle Cab Company
Allen Willis, Sr., Rainbow Cab Company
L. W. Murray, Jr., American Cab Company
Ones E. Polk, Polk Limousine Service

The following applications are for Individual Owner's Permits:

Dixon's Cab Company

Samuel Jackson (Renewal)

Lincoln Cab Company

Bobbie L. Abercrombie

United Cab Company

Robert L. Rowland
Garland Watkins, Jr.

Associated Cab Company

Charlie Alton Robertson (Renewal)
Charles Isam Lyons (Renewal)

Clementine Johns Robertson (Renewal)
Leonard Alston (Renewal)
Garland Watkins, Jr. (Renewal)

Safeway Taxicab Company

Samuel I. Gachenje (Renewal)
Ernest Howard Vinson (Renewal)

City Cab Company

McKeever Dunn (Renewal)
James N. Melvin (Renewal)
Stephen Glenn, Jr. (Renewal)
Charles H. Snipes (Renewal)
John E. Cofield (Renewal)
Harrison Stanback (Renewal)
Arthur L. Stanback (Renewal)
Samuel Lee Crowder (Renewal)
Norwood M. Peacock (Renewal)
William E. Chavis (Renewal)
Theodore R. Goodson (Renewal)
John Burnett (Renewal)
Primus Sloan (Renewal)
James Curtis Dowd, Jr. (Renewal)
William McKinney (Renewal)
Joseph N. Flemming (Renewal)
Clyde Hood Johnson (Renewal)

Ebony Cab Company

Napolean Nesbitt (Renewal)

Airline Taxi Company

Jim Rhodes (Renewal)

Tri-City Express Taxi Company

William Earl Sutton (Renewal)
William Patterson (Renewal)

Triangle Cab Company

Robert L. Cobbs (Renewal)

Rainbow Cab Company

Al Jiles (Renewal)
John Gilchrist (Renewal)

American Cab Company

Harry W. Griffin, Sr. (Renewal)

Consent Agenda approval - Upchurch/Calloway - 8 ayes.

TAXICAB OWNER'S PERMITS - APPROVED ON FIRST CONSIDERATION - TO BE PLACED ON DECEMBER 6 AGENDA

Applications have been received from the following to operate a taxi. The applications have been checked and meet the requirements of Section 12-2053 of the City Code. Approval is recommended. If approved, these applications will be placed on the December 6, 1983, Agenda for second and final consideration.

The following applications are for Franchise Renewals:

Geno Robertson, Rainbow Cab Company
Oris H. Carrington, Sr., Ebony Cab Company

The following applications are for Individual Owner's Permits:

Rainbow Cab Company

Willie Eugene Yarbrough (Renewal)

Ebony Cab Company

Fred Swan (Renewal)
Robert L. Cox (Renewal)
Mary E. Lucas (Renewal)
James A. Dickins (Renewal)
Ones E. Polk (Renewal)

James L. Mitchell (Renewal)
Alfonzo Meeks (Renewal)
James Linwood Hooker (Renewal)
Joseph Boyd, Jr. (Renewal)
James Odell Howard (Renewal)
Melvin Scott (Renewal)

Consent Agenda approval - Upchurch/Calloway - 8 ayes.

LIMOUSINE SERVICE FRANCHISE - APPROVED ON FIRST CONSIDERATION - TO BE PLACED ON DECEMBER 6, 1983 AGENDA

An application has been received from Earl Arthur Jones, Personal Service Unlimited, to operate a limousine service. The application has been checked and meets the requirements of the City Code. Administration recommends approval on the first reading with the understanding the item will be placed on the Agenda for December 6, 1983, for second and final consideration. Consent Agenda approval - Upchurch/Calloway - 8 ayes.

BUDGET AMENDMENT - PARKS AND RECREATION DEPARTMENT - ORDINANCE ADOPTED

The Agenda presented a budget amendment in the amount of $2,132 in the Parks and Recreation Department to place into an expenditure account funds received from the sale of day lilies from the garden in Jaycee Park. Approval of the budget amendment is recommended. Consent Agenda approval - Upchurch/Calloway - 8 ayes.

ORDINANCE NO. (1983) 226

AN ORDINANCE TO AMEND THE 1983/1984 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 1983/1984 Budget Ordinance be amended as follows to place into an expenditure account funds received from sale of day lilies from garden in Jaycee Park:

Revenue:	37-1-0070-0200	Park Imp. Misc.	$ 2,132.00
Expense:	37-2-3000-0189	Day Lily Garden	2,132.00

Section 2. That the 1983/1984 Budget be amended as follows to fund additional position in Finance Department, OA III Level, and an automobile for in-city transportation:

Revenue:	01-1-0030-0119	Schedule B	$14,400.00
Expense:	01-2-3020-0100	Salaries	6,400.00
	01-2-3020-0230	M&O	1,000.00
	01-2-3020-0702	Automobile	7,000.00
			$14,400.00

Adopted: 11/15/83

REIMBURSEMENT CONTRACTS - VARIOUS - APPROVED

It is recommended that the following reimbursable contract for extra wide streets have your approval:

Development Associates, Inc.
Oversized Streets - Stonehenge VI
$10,013.33

It is recommended that the following reimbursable acreage fee contracts have your approval:

Development Associates, Inc.
12-inch water line - Sawmill Road
Water Area 8, Number 19
$12,976.50

Wayneridge Associates
c/o Investment Properties
Post Office Box 10633
Raleigh, North Carolina 27605
Water line on Jones Franklin Road
Water Area 5, Number 8
$10,586.92

Consent Agenda approval - Upchurch/Calloway - 8 ayes.

INFORMATIONAL ITEM - RECEIVED

Approval has been granted for the rent-free use of Meeting Room D at the Civic Center on Thursday, February 9, 1984, for the Employees' Service Awards Luncheon. Without comment, the item was received as information.

TRANSFERS - ADMINISTRATIVE - MANAGER'S ACTIONS CONCURRED WITH

Council Members received in their Agenda packets a list of Administrative transfers which have been approved by the City Manager. Concurrence with the Manager's action is recommended. Consent Agenda approval - Upchurch/Calloway - 8 ayes. A list of the transfers that were approved is as follows:

From	To	Amount
06-2-7060-702	06-2-7090-723	$434.00
	06-2-7010-607	410.00
		24.00
01-2-1180-701	01-2-1180-260	900.00
38-2-1000-100	38-2-2010-102	797.83
38-2-3060-100	38-3-3060-104	74.93
38-2-1000-100	38-2-2010-101	944.00
01-2-6010-743	01-2-6010-602	25.00
34-2-3805-100	34-2-3805-101	484.61
38-2-3060-100	38-2-3060-104	44.84
32-2-4495-101	32-2-4495-104	900.00
01-2-6010-644	01-2-6010-607	330.00
01-2-1200-260	01-2-1200-704	400.00
01-2-1200-606		35.00
		435.00
19-2-8020-534	19-2-8020-279	350.00
01-2-5020-617	01-2-5020-717	575.00
01-2-4120-700	01-2-4110-282	98.15

TRANSFERS - WITHIN VARIOUS ACCOUNTS AND CONTINGENCIES - ORDINANCE ADOPTED

The Agenda listed various transfers within different departments and appropriations from various contingencies for purposes as stated therein. Administration recommends approval of the transfers and appropriations from contingency. Consent Agenda approval - Upchurch/Calloway - 8 ayes.

ORDINANCE NO. (1983) 227 TF 9

WHEREAS, it appears desirable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 21, 1983, and included in the budget for the fiscal year ending June 30, 1984, be transferred from one account as permitted and authorized by the General Statutes of North Carolina.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and are hereby transferred for the purpose shown:

CODE	ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From	37-2-2471-0100	Maint. Hq. Storage	$10,275.00
To	37-2-2471-0102	Maint. Hq. Storage B	9,275.00
To	37-2-2471-0104	Maint. Hq. Storage D	1,000.00

Purpose: To establish account for architectural fees and miscellaneous expenses for construction of storage shed at Marsh Creek Maintenance Headquarters.

From	38-2-3060-0100	Roberts Park	$21,790.00
To	38-2-3060-0101	Roberts Roof	21,790.00

Purpose: To establish account for reroofing Roberts Community Center.

From	34-2-3826-0107	Revenue Sharing	$ 1,500.00
To	34-2-3826-0102	Revenue Sharing	1,500.00

Purpose: Additional Architectural Fees - Fire Station 17.

From	37-2-1000-0100	Council Reserve	$ 3,224.00
To	37-2-3000-0165	Beau. City Cemetery	3,224.00

Purpose: To repair and replace a portion of iron picket fence at City Cemetery.

From	01-2-1040-0292	Boiler and Machinery	$ 1,040.00
To	01-2-1040-0211	Policy Liability Ins.	1,040.00

Purpose: Supplement account to pay premium for a two-year retroactive coverage for Police and Professional Liability Insurance.

From	06-2-7050-0613	Tool Bar	$25,000.00
From	06-2-7050-0227	Repairs to Other Equipment	10,200.00
To	06-2-7050-0714	Truck Platform Scales	25,000.00
To	06-2-7050-0716	Aerial Mapping	10,200.00

Purpose: To provide facilities to more efficiently manage.

From	38-2-1000-0100	Council Reserve	$ 3,541.00
To	38-2-2010-0101	Swim Pool A	3,541.00

Purpose: Change Order GC-21 - Clancy and Theys Construction Company, Biltmore Hills and Ridge Road Pools.

CODE	ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From	01-2-1040-0001	General Fund Contingency	$ 7,371.02
To	01-2-1210-0100	Personnel	934.80
To	01-2-1220-0100	Planning	2,346.40
To	01-2-1230-0100	Transportation	1,448.70
To	01-2-2000-0100	Human Resources	651.20
To	01-2-3020-0100	Finance/Collections	651.20
To	01-2-5020-0100	Street Maintenance	770.40
To	01-2-5030-0100	Sanitation	568.32

Purpose: To accommodate reclassifications for remainder of FY.

From	06-2-7100-0002	Public Utilities Cont.	$ 1,089.40
To	06-2-7030-0100	Water Plants	335.80
To	06-2-7090-0100	Warehouse and Radio	753.60

Purpose: To accommodate reclassifications for remainder of FY.

From	01-2-1090-0260	Office Supplies	$ 1,035.00
To	01-2-1090-0601	Dictation Equipment	1,035.00

Purpose: Accessories for dictation equipment.

From	01-3-3100-0120	Surplus Reserve Narcotic Oper.	$ 5,000.00
To	01-2-4040-0265	Other Services	5,000.00

Purpose: To fund undercover operations now in progress.

From	01-2-4020-0633	Portable Radio Batteries	$ 5,800.00
To	01-2-4020-0243	Uniforms and Equipment	5,800.00

Purpose: To replace funds in Uniform and Equipment Account that were used in error to purchase portable radio batteries.

From	06-2-7030-0225	Repair to Building and Str.	$ 7,500.00
To	06-2-7030-0775	Diesel Tank	7,500.00

Purpose: To fund additional diesel fuel tank and fuel for generator house at E. M. Johnson Plant.

From	01-2-1040-0001	General Fund Cont.	$75,000.00
To	01-2-1080-0304	CRT	75,000.00

Purpose: To loan CRT per contract agreement.

From	01-2-1040-0001	General Fund Cont.	$ 2,240.00
To	01-2-1100-0100	City Manager Salaries	2,240.00

Purpose: To fund employment of John Baker on part-time basis to provide support services to Council and Committee meetings.

Adopted: 11/15/83

TRAFFIC - VARIOUS CHANGES - ORDINANCES ADOPTED

The Agenda presented recommended changes in the Traffic Code relating to controlled parking - Residential Area D, lane channelization on Falls of the Neuse Road which is recommended to become effective immediately, loading zone in the 300 block of West Davie Street, no parking on portions of Quail Ridge Road, Raven Hill Drive (to become effective immediately) and Winton Road, was well as removing parking restrictions on certain areas of Boylan Avenue and Cabarrus Street. Consent Agenda approval - Upchurch/Calloway - 8 ayes.

ORDINANCE NO. (1983) 228

AN ORDINANCE TO AMEND THE TRAFFIC SCHEDULE OF THE CITY OF RALEIGH NECESSARY FOR THE IMMEDIATE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY OF RALEIGH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That Schedule No. 6B1 entitled "CHANNELIZATION" be amended by deleting the following:

Falls of Neuse Road at Hunting Ridge Road
Falls of Neuse Road at Ivy Lane

Section 2. That Schedule No. 6B3 entitled "CHANNELIZATION" be amended by deleting the following:

Falls of Neuse Road, westward at Wake Forest Road

Section 3. That Traffic Schedule No. 6B6 entitled, "CHANNELIZATION" be amended by deleting the following:

Falls of Neuse Road, northward at Fairfax Drive
Falls of Neuse Road, northward at Fireside Drive
Falls of Neuse Road, northbound at Sandy Forks Road

Section 4. That Traffic Schedule No. 6B7 entitled "CHANNELIZATION" be amended by deleting the following:

Falls of Neuse Road, southward at Sandy Forks Road

Section 5. That Traffic Schedule No. 6B8 entitled "CHANNELIZATION" be amended by adding the following:

Falls of Neuse Road, northbound at Spring Forest Road
Falls of Neuse Road, southbound at Sandy Forks Road

Section 6. That Traffic Schedule No. 6C2 entitled "CHANNELIZATION" be amended by adding the following:

Falls of Neuse Road at Hunting Ridge Road

Section 7. That Traffic Schedule No. 6C11 entitled "CHANNELIZATION" be amended by adding the following:

Spring Forest Road at Falls of Neuse Road

Section 8. That Traffic Schedule No. 6C15 entitled "CHANNELIZATION" be amended by adding the following:

Falls of Neuse Road, northbound at Sandy Forks Road
Falls of Neuse Road, southbound at Spring Forest Road

Section 9. That all laws and portions of laws thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 10. That this ordinance, being an emergency ordinance, shall become effective upon the date of adoption.

Adopted: 11/15/83

Effective: 11/15/83

ORDINANCE NO. (1983) 229

AN ORDINANCE TO AMEND THE TRAFFIC SCHEDULE OF THE CITY OF RALEIGH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Schedule No. 13 entitled "NO PARKING" be amended by adding the following:

Boylan Avenue, east side, from Lenoir Street, southward 60 feet
Boylan Avenue, east side, from Cabarrus Street, northward 75 feet
Boylan Avenue, east side, from Cabarrus Street, southward 150 feet
Boylan Avenue, east side, from Lenoir Street, northward 80 feet
Cabarrus Street, south side, from Lenoir Street, westward 120 feet
Cabarrus Street, south side, from Stokes Street, eastward 50 feet
Cabarrus Street, south side, from Dorothea Drive, eastward 80 feet
Quail Ridge Road, both sides, from Port Royal Road, southward 100 feet
Ravenhill Drive, both sides, from 8:00 a.m. to 3:00 p.m. school days, in its entirety
Winton Road, both sides, between New Hope Church Road and Harrod Court

Amend said Schedule further by deleting the following:

Boylan Avenue, east side, from a point 60 feet south of Lenoir Street to a point 75 feet north of Cabarrus Street
Cabarrus Street, south side, from Western Boulevard to Lenoir Street
Winton Road, both sides, from New Hope Church Road to Singleton Industrial Drive

Section 2. That Schedule No. 17 entitled "LOADING ZONES" be amended by adding the following:

Davie Street, north side, from Commerce Street, westward 80 feet

Section 3. That Schedule No. 21, Area D entitled "RESIDENTIAL CONTROLLED PARKING AREAS" be amended by adding the following:

Port Royal Road, both sides, from Quail Ridge Road to Timber Ridge Road

Section 4. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. That this ordinance shall become effective November 22, 1983.

Adopted: 11/15/83

Effective: 11/22/83

END OF THE CONSENT AGENDA

SPECIAL ITEMS

PRIVATE BUS SERVICE - ENTERTAINMENT EXPRESS - APPROVED ON SECOND AND FINAL READING

During the November 3, 1983, Council Meeting, the City Council approved Ordinance No. 1983-219 granting a private bus service franchise to Entertainment Express in the name of Charles Willard. It would be appropriate to consider approving the ordinance on a second and final reading. Mr. Upchurch moved approval of the ordinance on the second and final reading. His motion was seconded by Mr. Jordan and put to a vote which resulted in all members voting in the affirmative except Ms. Babb who voted in the negative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1983) 219

PRIVATE BUS SERVICE PERMIT

Issued to: Charles Grayson Willard, Jr.
3934-D Tara Drive
Raleigh, North Carolina 27609

Pursuant to Part 11, Chapter 5, of the Raleigh City Code, by the City of Raleigh, on the 15th day of November, 1983, and subject to the conditions listed herein:

I. Routes, Schedules, Fares

The private bus service shall operate, consist of, and be limited to fixed routes with fixed schedules and fares as described in the four attachments. Passengers may board and be discharged at locations to be determined by the permit holder; provided, that any bus stop locations may be changed in the interest of traffic and/or route safety at the discretion of the City of Raleigh. The service may utilize the following City streets:

A. Six Forks Road, Tara Drive, Loft Lane, Wood Bend Drive, Hensley Drive, Miles Drive, Westbrook Drive, Lynn Road, Sandy Forks Road, Lake Hill Drive, Shanda Drive, Falls of the Neuse Road, Quail Ridge Road, Windy Hill Drive, Millbrook Road, Hardimont Road, Colby Drive, Wake Forest Road, Hodges Street, Paula Street, McNeil Street, Creekside Drive, and Industrial Drive.

II. Insurance

Minimum insurance coverage and limits shall be as required for the North Carolina Utilities Commission Exempt Certificate and shall be maintained at all times by the permit holder.

III. Vehicle Inspections

The buses, at all times, shall be in compliance with the North Carolina Vehicle Inspection Law and shall meet or exceed the inspection requirements for the Exempt Certificate from the North Carolina Utilities Commission. Additional and periodic vehicle inspections may be required at the discretion of the City Council to insure safe and reliable bus operations.

IV. Vehicle Descriptions

The following type buses shall be used in providing the services authorized under this permit:

Three each 1962 GMC Model No. 4517, 45 seat capacity or equivalent.

V. Term of Permit

This bus service permit shall expire one year from the date of approval. The permit shall remain valid only while the permittee or his agent/transportation provider holds a valid Exempt Certificate issued by the North Carolina Utilities Commission.

VI. Transferability

This bus service permit is nontransferable. The bus service may be provided only by or in the name of the permittee.

VII. Disclaimer of City Responsibility

The issuance of this permit in no way indicates any responsibility or obligation for the City of Raleigh to guarantee provision of this service.

APPROVED BY THE RALEIGH CITY COUNCIL ON NOVEMBER 3 AND 15, 1983.

Adopted: 11/15/83
Second and Final Reading

REPORT AND RECOMMENDATION OF THE PLANNING COMMISSION

PLANNING COMMISSION CONSENT AGENDA - APPROVED AS AMENDED

Mayor York presented the Planning Commission Consent Agenda indicating it would be handled in the same manner as the regular Consent Agenda. Mr. Keller requested that S-128-83 (CR-3025) be withdrawn. Mr. Calloway requested that S-152-83 (CR-3054) be withdrawn. Without objection, these two items were withdrawn. Mr. Edwards asked that his vote not count on the following items as his company is involved in some manner: S-143-83 (CR-3047); S-144-83 (CR-3048); S-146-83 (CR-3049); S-149-83 (CR-3052). Mayor York indicated on S-147-83 (CR-3053) he is an adjacent property owner but has no interest in this project. He stated, however, he wanted to make that a part of the record. Mr. Walters moved that the Planning Commission's recommendations on the remaining items on the Consent Agenda be upheld. His motion was seconded by Ms. Babb, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. The items on the Planning Commission Consent Agenda were as follows:

SUBDIVISION S-142-83 - FAY E. SILVERS HENSLEY PROPERTY - APPROVED

This was a request for approval to subdivide a 5.4 acre tract into two (2) lots, zoned Residential-4. The site is currently developed with two (2) residential units and is non-conforming since the Code allows only one (1) unit per lot.

The property is located on the north side of Holly Springs Road, just west of Avent Ferry Road, outside the City Limits.

CR-3046 from the Planning Commission recommended that this request be approved according to a map entitled, "Fay E. Silvers Hensley Property," the property of Fay E. Silvers Hensley, drawn by A. R. Barnes, RLS, dated August 30, 1983. Consent Agenda approval - Walters/Babb - 8 ayes.

SUBDIVISION S-143-83 - POE PROPERTIES - APPROVED WITH CONDITION

This was a request for approval to subdivide 52.4 acres into 21 lots (23.1 acres), zoned Residential-6, and 36 lots (29.3 acres), zoned Office and Institution-I. The property is currently undeveloped.

The property is located on the west side of Sunnybrook Road, south of Falstaff Road and Wake Medical Center, inside the City Limits.

CR-3047 from the Planning Commission recommended that this request be approved according to a map entitled, "Poe Properties," the property of William D. Poe, Jr., drawn by John A. Edwards and Company, dated September 28, 1983, revised October 31, 1983, with the following conditions: (1) That, because of a sight distance problem on Sunnybrook Road, Lots 136, 137 and 138 be served by a joint driveway located on the south side of Lot 136 with an access easement across Lots 136 and 137, all pursuant to a recorded instrument approved by the City Attorney prior to recording any lots; and (2) that, because of a sight distance problem on Sunnybrook Road, Lots 133 through 135 not be recorded until driveway locations are approved by the City's Director of Transportation. Consent Agenda approval - Walters/Babb - 7 ayes (Edwards excused during vote on the Consent Agenda).

SUBDIVISION S-144-83 - KEEBLER COMPANY PROPERTY - APPROVED WITH CONDITION

This was a request for approval to subdivide a 10-acre site, zoned Industrial-I, into three (3) lots. Lot 2 is developed as a food processing plant.

The property is located on the northeast corner of Old Wake Forest Road and Six Forks Road, inside the City Limits.

CR-3048 from the Planning Commission recommended that this request be approved according to a map entitled, "Keebler Company Property," the property of Keebler Company, drawn by John A. Edwards and Company, dated October 20, 1983, with the following conditions: (1) That Lot 1 will not have driveway access onto either Six Forks Road or Old Wake Forest Road, as noted on the plan; and (2) that cross-parking and access easements be approved by the City Attorney's Office and recorded prior to recording the final plat. Consent Agenda approval - Walters/Babb - 7 ayes (Edwards excused during vote on the Consent Agenda).

SUBDIVISION S-146-83 - CAMBRIDGE OAKS REVISIONS - APPROVED WITH CONDITION

This was a request for approval to revise a 90-unit townhouse project on 14.89 acres, zoned Residential-6. The revisions are to break four and five-unit buildings into two and three-unit buildings. The site is currently under development.

The property is located on the south side of North Bend Drive, just west of Falls of the Neuse Road, inside the City Limits.

CR-3049 from the Planning Commission recommended that this request be approved according to a map entitled, "Cambridge Oaks Revisions," the property of Robuck Homes, Inc., drawn by John A. Edwards and Company, dated June 22, 1983, with the condition that the legal documents for the non-profit homeowners association be

reviewed and approved by the City Attorney's Office prior to recording the final plats. Consent Agenda approval - Walters/Babb - 7 ayes (Edwards excused during vote on the Consent Agenda).

SUBDIVISION S-147-83 - OBERLIN AND CRAIG CONDOMINIUMS - APPROVED

This was a request for approval to construct eight (8) condominium units on 1.42 acres which are currently developed with one (1) residential unit and zoned Residential-6. The project consists of one (1) building.

The property is located on the northeast corner of Oberlin Road and Craig Street, inside the City Limits.

CR-3050 from the Planning Commission recommended that this request be approved according to a map entitled, "Oberlin and Craig Condominiums," the property of Gammon Design/Build, drawn by Jon A. Condoret, AIA, dated October 21, 1983. Consent Agenda approval - Walters/Babb - 8 ayes (see the Mayor's remarks under Consent Agenda approval).

SUBDIVISION S-148-83 - BERKSHIRE DOWNS - WEST CLUSTER DEVELOPMENT - APPROVED WITH CONDITIONS

This was a request for approval to subdivide a 112.9 acre tract, zoned Residential-6, and construct a cluster development consisting of 138 single-family units, 52 duplexes, 237 townhomes and 176 apartments, totaling 603 units.

The property is located on the west side of Perry Creek Road, just south of U.S. 1 North, outside the City Limits.

CR-3051 from the Planning Commission recommended that this request be approved according to a map entitled, "Berkshire Downs-West Cluster Development," the property of Paragon Development Company, drawn by John W. Harris, PE, dated October 3, 1983, with the following conditions: (1) That a storm water management plan and program be developed and approved by the Staff in conformance with the Perry Creek Storm Water Policy being formulated by the City Council; (2) that the developer conform to all standards set forth in the Perry Creek Development Policy; and (3) that the legal documents for the non-profit homeowners association be reviewed and approved by the City Attorney's Office prior to recording any final plats. Consent Agenda approval - Walters/Babb - 8 ayes.

SUBDIVISION S-149-83 - THORPSHIRE FARM - ADDITIONS - APPROVED WITH CONDITIONS

This was a request for approval to subdivide a 38.8 acre tract into 61 lots, zoned Residential-4 (12.6 acres) and Residential-6 (26.2 acres). The developer will incorporate the Residential-4 portion into the original Thorpshire Farm Planned Unit Development.

The property is located on the west side of Litchford Road, just north of Gresham Lake Road, outside the City Limits.

CR-3052 from the Planning Commission recommended that this request be approved according to a map entitled, "Thorpshire Farm - Additions," the property of CBS Development, drawn by John A. Edwards and Company, dated October 31, 1983, with the following conditions: (1) That the Residential-4 portion of this plan be recombined and incorporated into the original Thorpshire Farm Planned Unit Development; (2) that the legal documents be revised to show the additional land and that these documents be reviewed and approved by the City Attorney's Office prior to recording any final plats; (3) that the developer conform to all standards set forth in the Perry Creek Development Policy; and (4) that a storm water management plan and program be developed that would insure that there would be a minimal adverse impact on downstream water quality and be approved by the City's Soil Conservation Staff and the Planning Department, this being only for the addition. Consent Agenda approval - Walters/Babb - 7 ayes (Edwards excused during vote on the Consent Agenda).

SUBDIVISION S-151-83 - KEITH WEAVER PROPERTY - APPROVED; GREENWAY ACCEPTED

This was a request for approval to subdivide 11.6 acres into 13 lots, zoned Residential-6 and currently undeveloped. The developer is also dedicating 5.68 acres of land as City of Raleigh Greenway.

The property is located on Glenridge Drive and Crandon Lane, in Brentwood Subdivision, inside the City Limits.

CR-3053 from the Planning Commission recommended that this request be approved according to a map entitled, "Keith Weaver Property," the property of Keith Weaver, drawn by Bass, Nixon and Kennedy, Inc., dated October 21, 1983; and that the dedication of 5.68 acres of greenway be accepted. Consent Agenda approval - Walters/Babb - 8 ayes.

SUBDIVISION S-153-83 - HICKORY HOLLOW - APPROVED

This was a request for approval to subdivide 31.61 acres into 40 single-family lots, zoned Residential-4 (14.5 acres) and one (1) 17.11 acre tract, zoned Office and Institution-III.

The property is located on the north side of Steinbeck Drive and the west side of Bland Road, inside the City Limits.

CR-3055 from the Planning Commission recommended that this request be approved according to a map entitled, "Hickory Hollow," the property of F. Shields Pittman, Jr., drawn by Little and Little and Ballentine Associates, dated September 30, 1983, revised October 20, 1983. Consent Agenda approval - Walters/Babb - 8 ayes.

SUBDIVISION S-154-83 - SIMMONS PLACE - APPROVED WITH CONDITION

This was a request for approval to build four (4) townhouse units (2 duplexes), each on its own lots, on .72 acre which is currently undeveloped and zoned Residential-6.

The property is located on the east side of Carolina Avenue, just south of Western Boulevard, inside the City Limits.

CR-3056 from the Planning Commission recommended that this request be approved according to a map entitled, "Simmons Place," the property of Cary Construction Company, drawn by Cary Construction Company, dated October 18, 1983, with the condition that the common party wall maintenance agreements be reviewed and approved by the City Attorney's Office prior to recording the final plats. Consent Agenda approval - Walters/Babb - 8 ayes.

SC-214 - HATHAWAY-DENKINS AND BRAZIEL OFFICE BUILDING - APPROVED

This was a request for approval to construct a 1,900 square foot addition to an existing building on a .43 acre site, zoned Shopping Center.

This property is located on the southeast corner of Jackson Street and Method Road, inside the City Limits.

CR-3058 from the Planning Commission recommended that this request be approved according to a map entitled, "Hathaway-Denkins and Braziel Office Building," the property of Hathaway-Denkins and Braziel, drawn by David Ward Jones, dated September 30, 1983. Consent Agenda approval - Walters/Babb - 8 ayes.

TEXT CHANGE TC-247A - VEHICULAR SIGNS - APPROVED AS AMENDED - ORDINANCE ADOPTED

This was a request for approval to amend Section 10-2073(c), "Special exceptions," to authorize the Board of Adjustment to allow, in lieu of already permitted fixed ground signs, comparably-sized vehicular signs in Day Care Facilities, Nurseries, Agency Offices, Limited Home Businesses, and Riding Stables.

CR-3059 from the Planning Commission recommended that TC-247A, as amended, be approved according to the ordinance attached to Certified Recommendation 3059. Consent Agenda approval - Walters/Babb - 8 ayes.

ORDINANCE NO. (1983) - 230 TC 202

AN ORDINANCE WHICH AUTHORIZES THE BOARD OF ADJUSTMENT TO ALLOW, IN LIEU OF ALREADY PERMITTED FIXED GROUND SIGNS, COMPARABLY SIZED VEHICULAR SIGNS

BE IT ORDAINED BY THE CITY COUNCIL OF RALEIGH, NORTH CAROLINA, THAT:

Section 1. Subsections 10-2073(c): (12)h, (14)d, (20)d, (22)c and (23)h, are hereby amended to add immediately following the last word of said subsections the following: "or in lieu thereof an equivalent sized permanent vehicular sign."

Section 2. All ordinances and clauses in conflict herewith are hereby repealed to the extent of said conflict.

Section 3. This ordinance has been adopted following a duly advertised joint public hearing of the Raleigh City Council and the City Planning Commission following a recommendation of the Planning Commission.

Section 4. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given separate effect and to this end, the provisions of this ordinance are declared to be severable.

Section 5. This ordinance shall be enforced as provided in N.C.G.S. 160A-175.

Section 6. This ordinance shall become effective upon its adoption.

Adopted: 11/15/83

Effective: 11/15/83

CLUSTER DEVELOPMENTS - PROPOSED ORDINANCE TO ESTABLISH PRIVATE DRIVE STANDARDS - PUBLIC HEARING AUTHORIZED

This was a request for approval to amend Sections 10-3071(b) and 10-3074(a)(2) to require that streets and drives in all cluster developments comply with the Group

Housing Standards requirements for private streets and drives and to require that all streets and drives contain identification required in Section 10-2065.2(1) of the Code.

CR-3060 from the Planning Commission recommended that the ordinance attached to Certified Recommendation 3060 be authorized for public hearing. Consent Agenda approval - Walters/Babb - 8 ayes.

CP-6-83 - ECONOMIC DEVELOPMENT STRATEGY - APPROVED - RESOLUTION ADOPTED

This was a request for approval to amend the Comprehensive Plan of the City of Raleigh by adding an economic development strategy for the City of Raleigh.

CR-3062 from the Planning Commission recommended that CP-6-83 be approved as recommended by the Raleigh Tomorrow Task Force. The Planning Commission also recommends that the Raleigh Citizens Advisory Council's comments be forwarded to the Task Force for further consideration. Consent Agenda approval - Walters/Babb - 8 ayes.

RESOLUTION NO. (1983) 392

RESOLUTION TO AMEND THE COMPREHENSIVE PLAN BY ADOPTING AN ECONOMIC DEVELOPMENT ELEMENT

WHEREAS, the Raleigh Comprehensive Plan contains the general policy of the City Council to be used as a guide for development, the scheduling of capital improvements, preparation of budgets and ordinances, and operating procedures to accomplish the plan; and,

WHEREAS, the purpose of the Comprehensive Plan is also to provide general guidance to City agencies, other public agencies, private individuals and organizations as they prepare detailed plans, programs and ordinances; and,

WHEREAS, it is the intent of the City Council to maintain and amend this plan as the official statement of City Council policy concerning the future development of the City of Raleigh; and,

WHEREAS, the Raleigh City Council established the Raleigh Tomorrow Task Force for the purpose of formulating an economic development element of the Comprehensive Plan; and,

WHEREAS, the Raleigh Tomorrow Task Force organized a work program that involved research by consultant teams and Task Force subcommittees; and,

WHEREAS, the Raleigh Tomorrow Task Force held a City Forum on economic development which produced significant citizen contributions toward the establishment of an economic development policy for the City; and,

WHEREAS, a public hearing on Amendment CP-6-83 was held before a joint hearing of the City Council and the Planning Commission on November 3, 1983;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA, THAT THE FOLLOWING BE ADOPTED AS A PART OF THE COMPREHENSIVE PLAN FOR THE CITY OF RALEIGH:

A. ECONOMIC DEVELOPMENT POLICY:

The Raleigh City Council declares its commitment to sound economic development for Raleigh, its people and resources. This commitment is sensitive to the need to preserve and enhance the City's high quality of life while acting to ensure its long-term fiscal strength. Policies achieving this commitment will be consistent with the City's adopted Affirmative Action plan. The commitment is necessary because today, local governments must work cooperatively with the private sector in light of declining Federal and State resources to guide economic growth. In making this commitment, the Raleigh City Council recognizes the need to anticipate the implications of its actions on the City's economy and pledges its ongoing support to make sound economic development an integral part of these actions.

B. IMPLEMENTING STRATEGIES:

1. The City of Raleigh will create an economic development focus within the structure of City Government.

2. The City of Raleigh will implement a fiscal impact evaluation system to allow more rational decision making using better cost and benefit information.

3. The City of Raleigh will emphasize a targeted strategy within its comprehensive approach to economic development which addresses specific needs within Downtown Raleigh, Southeast Raleigh and newly-emerging growth centers.

4. The City of Raleigh will increase its support of State, County and Chamber of Commerce efforts to enrich education, training and work force development to support the expanding economy.

5. The City of Raleigh will pursue economic development strategies designed to strengthen the City's future revenue base.

6. The City of Raleigh will develop a strong partnership between the public and private sectors to create new financing opportunities for economic development.

7. The City of Raleigh will work with the local financial community to develop and make available venture capital to support the creation and the growth of innovative, high technology oriented enterprises as a keystone in Raleigh's economic future.

8. The City of Raleigh will initiate efforts to plan and support a high quality and expanded level of cultural activities which will support the type of economic development we seek.

9. The City of Raleigh will seek a more equitable relationship with the State of North Carolina which recognizes the State's importance as a key industry in the local economy.

10. The City of Raleigh will cooperate more directly with local universities, colleges and research institutions to maximize their contributions in shaping the City's future economy.

C. BACKGROUND DOCUMENT:

The document entitled "Economic Development Strategies for the City of Raleigh" contains detailed information and descriptions supporting these policies and strategies and is adopted, by reference, as an element of the Comprehensive Plan.

Adopted: 11/15/83

END OF PLANNING COMMISSION CONSENT AGENDA

SUBDIVISION S-128-83 - MARLOWE SUBDIVISION - REFERRED TO LAW AND FINANCE COMMITTEE ALONG WITH BROOKHAVEN PARK MASTER PLAN

This was a request for approval to subdivide a 3.3 acre tract which is undeveloped and zoned Residential-4 into six (6) lots.

The property is located at the north end of Berkeley Street, just north of Rembert Drive, inside the City Limits.

CR-3025 from the Planning Commission recommended that this request be approved according to a map entitled, "Marlowe Subdivision," the property of Stuart Marlowe and Others, drawn by Bass, Nixon and Kennedy, dated August 31, 1983, with the following conditions: (1) That the City Council, prior to recording any lots, initiate and approve a street closing for Berkeley Street, and (2) that the City retain a ten-foot (10') pedestrian access easement in the closed portion of Berkeley Street connected to the Brookhaven Park.

Mr. Keller indicated he had asked that this item be withdrawn from the Consent Agenda pointing out he would like to refer the subdivision to the Law and Finance Committee for them to look at it along with the Brookhaven Park Master Plan. He pointed out the City has no access to the Brookhaven Park site and Berkeley Drive is a good possibility to be utilized to get to the park. He indicated maybe we should look into obtaining a street or vehicular access through Berkeley Street. He indicated this area is not developed at this time, so he feels that it would be a good time to try to gain access.

Discussion took place on the property to the north of the park, with Mr. Jordan questioning if this is not the last area where access could be gained in the park. Without objection, the item was referred as suggested to the Law and Finance Committee.

SUBDIVISION S-152-83 - JORDAN ALLEN, JR., PROPERTY - APPROVED AS AMENDED AND WITH CONDITIONS

This was a request for approval to subdivide an 8.26 acre tract into two (2) lots, zoned Residential-1. One lot is presently developed with a single-family unit.

The property is located on the southern side of Loop Road, just east of U.S. 401 North, outside the City Limits.

CR-3054 from the Planning Commission recommended that this request be denied according to a map entitled, "Jordan Allen, Jr., Property," the property of Jordan Allen, Jr., drawn by Penny Greene and Associates, dated October 3, 1983.

Mr. Calloway indicated he had requested this item be removed from the Consent Agenda, pointing out the Planning Commission is recommending denial. He indicated he had talked with Mr. Allen who indicates that the Planning Commission's denial seems to hinge on access to the project. Mr. Calloway indicated he understood this proposal had been revised so that access could be had without some of the problems initially,

and the applicant had hoped that the Council would look at the new subdivision with approval. He pointed out, as he understands it, only one house will be built on this 3.55 acre tract. Mr. Edwards indicated he, too, had talked with the developer and understood there has been a revision to the plan. Penny Green with Penny Green and Associates submitted a revised plan entitled, "Jordan Allen, Jr., Subdivision," dated November 11, 1983, drawn by her firm. Mr. Edwards indicated this was a panhandled lot, and it is a large tract of land that he feels should be allowed to be subdivided. He indicated there were other questions relating to the Perry Creek policy, and he understands that some of the staff was saying that the Perry Creek policy would require the installation of a dry sanitary sewer line in this area. He indicated the policy says developers are to provide sewer lines as required by the City, but he does not feel that it was the intent of the City Council to require dry sewer lines. Mr. Edwards moved approval of the subdivision as submitted at today's meeting with the provision that the subdivider request the City to extend the water to the property and comply with all other subdivision regulations, particularly as it relates to the Perry Creek policy, with the understanding that that does not require the installation of any dry sanitary sewer line, and with the further understanding that they will comply with all storm water management requirements as it relates to protection of Perry Creek. His motion was seconded by Mr. Walters.

Brief discussion took place, after which the motion, as stated, was put to a vote. The Mayor ruled the motion adopted.

COMMITTEES, COMMISSIONS AND BOARDS

HUMAN RESOURCES AND HUMAN RELATIONS ADVISORY COMMITTEE - NOMINATIONS MADE

The City Clerk reported one vacancy due to the enlargement of this Committee. No nominations have been made. Ms. Babb nominated Sol Richmond, a North Raleigh resident, whom she indicated was very active in senior citizens' programs. No other action was taken.

YOUTH COUNCIL ADVISORY BOARD - NOMINATIONS MADE

The City Clerk reported the terms of Bill Parmalee, Charles L. Burwell, Dorothy A. Petty and Martha Keravouri all expire December 22, 1983. All are eligible for reappointment except Mrs. Keravouri who is not eligible because of length of service. The Clerk reported that the attendance record of Bill Parmalee and Dorothy Petty is good; however, it is felt that Charles L. Burwell has moved out of the City. Mr. Upchurch nominated Ms. Petty and Mr. Parmalee. Discussion took place as to when this Board meets, and no further action was taken.

HOUSING APPEALS BOARD - NO ACTION TAKEN

The City Clerk reported one vacancy for an alternate member of the Housing Appeals Board as a result of a recent ordinance change enlarging the Board. No nominations have been made. No nominations were made.

TELECOMMUNICATIONS COMMISSION - APPOINTMENTS MADE

The City Clerk reported two remaining slots on this Commission, and nominations include Ken Durham and Mrs. Tony Hutto. Nominations have not been closed. Ms. Babb indicated prior to her nomination of Mrs. Hutto, she talked with Mrs. Hutto, and she had indicated a desire to serve. She stated, however, Mrs. Hutto will be working with the Institutional Network as a consumer and, therefore, Mrs. Hutto feels that it would be better if she does not serve on this Commission. Therefore, Ms. Babb indicates she would withdraw Ms. Hutto's name. Ms. Babb nominated Ron McCrimmon whom she identified as a North Raleigh resident and a computer sales person. Brief discussion took place about the need to get this Committee working and the action that had been taken on the Commission in the past, after which Mr. Walters moved that nominations to the Telecommunications Commission be closed and the two people appointed by acclamation. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

BOARD OF ADJUSTMENT - RHODY DILLON APPOINTED AS ALTERNATE MEMBER

The City Clerk reported one vacancy for an alternate member on the Board of Adjustment. Nominations include Rhody Dillon and Eugene Phillips. Nominations have been closed.

A ballot vote resulted as follows: Phillips - 3 (Upchurch, Walters, Keller); Dillon - 5 (Babb, Edwards, York, Calloway, Jordan). The Mayor announced the appointment of Rhody Dillon as the alternate member on the Board of Adjustment.

HEATING, AIR CONDITIONING, REFRIGERATION AND VENTILATION BOARD - APPOINTMENTS MADE

The City Clerk reported all terms expire December 22, 1983. Nominations include: Robert Cooper, Rick Babcock, Carol Bishop, Larry Kelly and Stuart O. Arnold. Nominations have not been closed. There being no further nominations, Mr. Walters moved that nominations to this Board be closed, and those nominated appointed by acclamation. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

PLANNING COMMISSION - NOMINATIONS MADE

The City Clerk reported the term of Perry Safran and Malcolm Williams expire on January 5, 1984. Mr. Walters indicated for a long time, he has tried to get someone from the northeast section on the Planning Commission, and at this point, he would nominate John Sherbet. Mr. Calloway nominated Malcolm Williams. Ms. Babb nominated Perry Safran. No further action was taken.

REPORT AND RECOMMENDATION OF THE LAW AND FINANCE COMMITTEE

CABLEVISION - AWARDING OF CONTRACTS - CABLE ADMINISTRATOR TO DO SURVEY

Mr. Jordan indicated the Law and Finance Committee recommends that the Cable Administrator be directed to do an informal survey of Cablevision of Raleigh's contracts with minority enterprises with the survey to include such information on number and amount of contracts, etc. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

UNFIT DWELLINGS - 1425 and 1427 CURFMAN STREET - REMOVED

Chairman Jordan reported the Law and Finance Committee recommends that this item be removed from the Agenda with no action taken as Administration reports all repairs have been made, and the dwellings are now in compliance with the Code. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Keller and put to a vote which passed unanimously.

UNFIT BUILDING - 404 BLEDSOE AVENUE - ORDINANCE ADOPTED

Chairman Jordan reported the Law and Finance Committee recommends adoption of an ordinance declaring this dwelling unfit effective January 18, 1984. During the interim, Administration is to work with the involved property owners in an effort to resolve the problems at this location and offer help to the family involved. On behalf of the Committee, he moved the recommendation be upheld which was seconded by Mr. Keller and put to a vote which passed unanimously.

ORDINANCE NO. 1983-231

AN ORDINANCE FINDING THAT THE PROPERTY DESCRIBED HEREIN IS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED UNTIL REPAIRED OR DEMOLISHED AS DIRECTED BY THE INSPECTIONS SUPERINTENDENT

WHEREAS, the City Council of the City of Raleigh finds that the property described herein is unfit for human habitation under the provisions of Part 7, Chapter 4, Article G of the Code of the City of Raleigh, North Carolina, entitled, "Housing Code," and that all of the provisions of said Article have been complied with as a condition of the adoption of this ordinance; and,

WHEREAS, said house should not be occupied until repaired to meet the requirements of the Minimum Housing Standards Ordinance, or that the same should be demolished as directed by the Inspections Superintendent, and should be placarded by placing thereon a notice prohibiting use for human habitation:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Inspections Superintendent of the City of Raleigh be and he is hereby authorized and directed to place a sign on the building at location listed herein containing the legend: "THIS BUILDING IS UNFIT FOR HUMAN HABITATION; THE USE OR OCCUPANCY OF THIS BUILDING FOR HUMAN HABITATION IS PROHIBITED AND UNLAWFUL."

Property Owner	Location
Fred McCoy	514 East Martin Street
David and Pauline H. McCloud	404 Bledsoe Avenue

Section 2. It shall be unlawful for any person to remove said placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any said building for human habitation.

Section 3. That a copy of this ordinance shall be recorded in the Office of the Register of Deeds of Wake County.

Section 4. This ordinance shall become effective January 18, 1984.

Adopted: 11/15/83

Effective: 1/18/84

UNFIT BUILDING - 234 PECAN STREET - ORDINANCE REPEALED

Chairman Jordan reported the Law and Finance Committee recommends repeal of that portion of Ordinance 1983-91 as it relates to 234 Pecan Street as the repairs have been made and the dwelling is now in compliance with the Code. On behalf of the

Committee, he moved the recommendation be upheld which was seconded by Mr. Keller and put to a vote which passed unanimously.

ORDINANCE NO. 1983-232

AN ORDINANCE REPEALING ORDINANCE NO. 1983-91 RELATING TO 234 PECAN ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA, THAT:

Section 1. That Ordinance No. 1983-91 is hereby repealed in its entirety inasmuch as the property which is the subject of that ordinance has either been repaired or demolished.

Section 2. That a certified copy of this ordinance be recorded in the Office of the Wake County Register of Deeds.

Section 3. This ordinance shall become effective upon adoption.

Adopted: 11/15/83

Effective: 11/15/83

UNSAFE DWELLING - 309 NORTH BLOUNT STREET - REFERRED TO THE BLOUNT STREET HISTORIC DISTRICT COMMITTEE

Chairman Jordan reported the Law and Finance Committee recommends that the City proceed with its efforts to enforce parking prohibitions at 309 North Blount Street and further recommends that the Blount Street Historic District Committee be requested to investigate this matter and make suggestions back to the City Council as to how to handle the situation at this location. On behalf of the Committee, he moved the recommendation be upheld which was seconded by Mr. Keller and put to a vote which passed unanimously.

PUBLIC NUISANCE - 516 NORTH PERSON STREET - REFERRED TO OAKWOOD HISTORIC DISTRICT COMMITTEE

Chairman Jordan reported the Law and Finance Committee recommends that the Oakwood Historic District Committee be requested to look at 516 North Person Street and give an evaluation back to the City Council as to whether this property can be restored or suggestions as to how to handle the problems at this location. On behalf of the Committee, he moved the recommendation be upheld which was seconded by Mr. Keller and put to a vote which passed unanimously.

DEMOLITION OF DWELLING - 809 EAST HARGETT STREET - PROPERTY NOT TO BE DEMOLISHED

Chairman Jordan reported the Law and Finance Committee recommends that this building not be demolished, but the property owner is required to board up the building, and if work to repair the dwelling has not started in sixty days, the Community Development Department and Inspections Division should report back to the City Council for further action. On behalf of the Committee, he moved the recommendation be upheld which was seconded by Mr. Keller and put to a vote which passed unanimously.

UNFIT DWELLING - 514 EAST MARTIN STREET - ORDINANCE ADOPTED

Chairman Jordan reported the Law and Finance Committee recommends adoption of an ordinance declaring this dwelling unfit to be effective January 18, 1984. On behalf of the Committee, he moved the recommendation be upheld which was seconded by Mr. Keller and put to a vote which passed unanimously. See Ordinance 231.

PUBLIC NUISANCE COST CONFIRMATION - 316 SOUTH SWAIN STREET - CONFIRMED; ADMINISTRATION TO EVALUATE PROCESS OF NOTIFICATION

Chairman Jordan reported the Law and Finance Committee recommends adoption of a resolution confirming charges in the amount of $136 in the name of GNC Investment Corporation for abating public nuisances at 316 South Swain Street. The Committee recommends that Administration evaluate the process of notification, etc., relating to public nuisances and bring a recommendation back to the City Council on any needed changes. The Committee recommends that the Board of Realtors and other similar organizations be involved in the study. On behalf of the Committee, Mr. Jordan moved the recommendation be upheld which was seconded by Mr. Keller and put to a vote which passed unanimously.

UNFIT BUILDING - 510 SOUTH BLOUNT STREET - ORDINANCE ADOPTED

Chairman Jordan reported the Law and Finance Committee recommends adoption of an ordinance to be effective February 7, 1984, declaring the dwelling at 510 South Blount Street unfit. On behalf of the Committee, he moved the recommendation be upheld which was seconded by Mr. Keller and put to a vote which passed unanimously. See Ordinance 233.

UNFIT BUILDING - 305 FREEMAN STREET - ORDINANCE ADOPTED

Chairman Jordan reported the Law and Finance Committee recommends adoption of an ordinance declaring the dwelling at 305 Freeman Street unfit effective February 7,

1984. On behalf of the Committee, he moved the recommendation be upheld which was seconded by Mr. Keller and put to a vote which passed unanimously.

ORDINANCE NO. 1983-233

AN ORDINANCE FINDING THAT THE PROPERTY DESCRIBED HEREIN IS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED UNTIL REPAIRED OR DEMOLISHED AS DIRECTED BY THE INSPECTIONS SUPERINTENDENT

WHEREAS, the City Council of the City of Raleigh finds that the property described herein is unfit for human habitation under the provisions of Part 7, Chapter 4, Article G of the Code of the City of Raleigh, North Carolina, entitled "housing Code," and that all of the provisions of said article have been complied with as a condition of the adoption of this ordinance; and

WHEREAS, said house should not be occupied until repaired to meet the requirements of the Minimum Housing Standards Ordinance, or that the same should be demolished as directed by the Inspections Superintendent, and should be placarded by placing thereon a notice prohibiting use for human habitation:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Inspections Superintendent of the City of Raleigh be and he is hereby authorized and directed to place a sign on the building at location listed herein containing the legend: "THIS BUILDING IS UNFIT FOR HUMAN HABITATION; THE USE OR OCCUPANCY OF THIS BUILDING FOR HUMAN HABITATION IS PROHIBITED AND UNLAWFUL."

Property Owner	Location
Alice H. McNeil	305 Freeman Street
Lillian Freeman	510 South Blount Street

Section 2. It shall be unlawful for any person to remove said placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any said building for human habitation.

Section 3. That a copy of this ordinance shall be recorded in the Office of the Register of Deeds of Wake County.

Section 4. This ordinance shall become effective February 7, 1984.

Adopted: 11/15/83

Effective: 2/7/84

CHANGE ORDER G-20 - RIDGE ROAD POOL - CHANGE ORDER G-20 - INFORMATION RECEIVED

Chairman Jordan reported the Law and Finance Committee recommends that this item be removed from the Agenda with no action taken as it was felt by all involved parties that the work was necessitated by extenuating circumstances. It was pointed out the change order has already been approved. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ENCROACHMENT - RETAINING WALL ON ST. GILES STREET - ENCROACHMENT APPROVED CONDITIONALLY

Chairman Jordan reported the Law and Finance Committee recommends that the City not construct a retaining wall on St. Giles Street to protect the "historic" tree, but that the City enter into an encroachment agreement which would allow the property owner to construct the retaining wall subject to the design, etc., being approved by the Chief Engineer and City Attorney. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

SUBDIVISION S-9-82 - REVISIONS TO TWIN PINES PUD - STREET WIDENING NOT REQUIRED

Chairman Jordan reported the Law and Finance Committee recommends that the developer of Twin Pines not be required to do the street widening along Laurel Hills Road at this time. The recommendation is with the understanding that the property would be assessed for street improvements when and if the street improvements are made. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Calloway. Mr. Edwards indicated he was not familiar with this request; however, his company had done some work for Twin Pines in this area. Therefore, he would like to be excused from participation in this matter. Without objection, Mr. Edwards was excused. The motion, as stated, was put to a vote which resulted in all members voting in the affirmative, except Mr. Edwards who did not vote. The Mayor ruled the motion adopted.

SUBDIVISION S-121-81 - PROGRESS PARK - APPROVED WITHOUT REQUIREMENT FOR DEDICATION OF STREET

Chairman Jordan reported the Law and Finance Committee recommends that CR-1491 be approved without the requirement for dedication of the street and with the understanding that primary access would be off Whitaker Mill Road. This is a request for

approval to construct twenty-three industrial condominium units on 2.10 acres zoned Industrial-II and Residential-10 providing fifty-three parking spaces. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

METHODIST HOME PARK - PROFESSIONAL SERVICES FOR MASTER PLAN - ADMINISTRATION AUTHORIZED TO NEGOTIATE CONTRACT

Chairman Jordon reported the Law and Finance Committee recommends that Administration be authorized to attempt to negotiate a contract with Stan N. Williams, McClure and McClure, with David Fichetti to do the professional services for design of the master plan for the Methodist Home property. This recommendation is with the understanding that the contract will be brought back to Council for approval. The Committee further recommends that if a successful contract cannot be negotiated with this firm, that Administration be authorized to negotiate with the second priority--Little and Little and Michael Hager. On behalf of the Committee, Mr. Jordan moved the recommendation be upheld. His motion was seconded by Mr. Calloway, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

PA-173 - WAKE FOREST ROAD HOTEL - REMOVED FROM THE AGENDA

Chairman Jordan reported the Law and Finance Committee recommends that this item be removed from the Agenda with no action taken as the applicant has withdrawn the request for plan approval. Without objection, the item was withdrawn.

BED AND BREAKFAST INNS - REFERRED TO ADMINISTRATION TO WORK WITH HISTORIC PROPERTIES COMMISSION

Chairman Jordan reported the Law and Finance Committee recommends that this item be referred to Administration to continue to work with the Historic Properties Commission for a recommendation to be made after the new Council takes office. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Calloway and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ZONING CODE EVALUATION - REFERRED TO ADMINISTRATION

Chairman Jordan reported Council Members received in their Agenda packets some information from the Planning Department and CAC's relative to suggestions relating to the Zoning Code evaluation. The Committee recommends that Administration be directed to develop procedures in conjunction with the CAC's for implementing these suggestions and to make recommendations as to how to proceed with the evaluation to the full Council. On behalf of the Committee, Mr. Jordan moved the recommendation be upheld. His motion was seconded by Mr. Calloway, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

UNSAFE BUILDING DEMOLITION CHARGES - 2928 O'KELLY STREET - REQUEST FOR WAIVER DENIED; PROPERTY OWNER GIVEN TIME TO PAY CHARGES

Chairman Jordan reported the Law and Finance Committee recommends that the request to waive or adjust the cost for demolishing the unsafe building at 2928 O'Kelly Street be denied. The Committee further recommends that Administration be authorized to develop an agreement with the present property owner--Margaret Rose Murray--by which Mrs. Murray would have up to five years to pay off these charges. On behalf of the Committee, Mr. Jordan moved the recommendation be upheld. His motion was seconded by Mr. Keller, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

LAW AND FINANCE COMMITTEE PENDING ITEMS - REMOVED WITH NO ACTION TAKEN

Chairman Jordan reported the Law and Finance Committee recommends that the following items be reported out of Committee with no action taken:

a. City Code Update

b. Comprehensive Plan Modification - Spring Forest Road Extended - Olde Towne Associates (Attorney Rogers)

c. Civilian Review Board

d. Short-Range Fiscal Strategy (Transit Funding and Interest Rates)

e. Housing - Federal and State Funding Limitations

f. Request to Establish Vendor Shoe Polisher Business - Fayetteville Street Mall (Melvin Griffin, Sr.)

g. Arts Commission

h. Raleigh's Public Housing Needs

i. Overall Funding of Six City Pools

j. Arts Office Staff - Administrative Assistant II

On behalf of the Committee, Mr. Jordan moved the recommendation be upheld. His motion was seconded by Mr. Keller, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

LAW AND FINANCE COMMITTEE PENDING ITEMS - VARIOUS - REFERRED TO ADMINISTRATION FOR FOLLOW-UP AS NEEDED

Chairman Jordan reported the Law and Finance Committee recommends that the following items be referred to Administration with follow-up as needed:

a. Street Closing - West North Street

b. Amendment to Fair Housing Act

c. Requirements for Improvements on Pleasant Grove Church Road - Holland Park Subdivision - Street Width (Attorney Rogers)

d. Possibility of Employment Discrimination Ordinance

e. Water Assessment - Onslow Road (Attorney Rogers)

f. Report on Interest Charges and Costs

g. Insurance Deductibles

h. Parking at Courthouse - Police Vehicles

i. Traffic Signal - Oberlin Road at YWCA

j. Sewer Back-up - Latimer Road

k. Review of Number of Cars Allowed on Single-Family Lot

l. Retirement Credit - Martha Wilson

m. Mass Transit System (Ervin Rovner's Comments)

n. Affirmative Action Goals

o. Parks and Recreation - Proposed Golf Ordinance

p. Woman's Club Drive - Koger Executive Center Frontage

q. Study of Longevity Plan

r. Health Insurance - Additional Coverage

s. RWCA Requests - Assistant City Manager Selection and Affirmative Action

t. City Code Definition of "Building"

u. Animal Control Ordinance

v. Loading Zones vs. Truck Loading Zones

w. Speed Limit - East Edenton Street Between Idlewild and Blount Streets

x. Public Service Franchise Agreement

On behalf of the Committee, Mr. Jordan moved the recommendation be upheld. His motion was seconded by Mr. Keller, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

METHODIST HOME PARK PROPERTY - PARK NAMED IN HONOR OF FRED FLETCHER

Mayor York indicated one of the items on the Law and Finance Committee related to the Methodist Home Park Property. He indicated the Council has received some suggestions relative to the name for the Methodist Home Park and the possibility of naming it the Fred Fletcher Park. He indicated some members of the Parks Board have also made this suggestion. He pointed out he feels it may be appropriate as Mr. Fletcher has served the City of Raleigh on the Parks and Recreation Advisory Board some forty years, and Mr. Fletcher's home place was next door to the park. He stated Mr. Fletcher has been active in neighborhood recreational activities, and he feels it would be a good tribute to name the park in honor of Mr. Fletcher. Mr. Calloway moved that the Methodist Home Park Property be named The Fred Fletcher Park. His motion was seconded by Mr. Keller and passed unanimously. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE PUBLIC WORKS COMMITTEE

METHOD ROAD PARK DEVELOPMENT - REFERRED TO PARKS AND RECREATION ADVISORY BOARD

Chairman Edwards reported the Public Works Committee recommends that this item be referred back to the Parks and Recreation Advisory Board for consideration of comments, questions and concerns as raised relating to the Method Road Park Master Plan. It is understood that this may involve reactivating the Master Plan Committee. On behalf of the Committee, Mr. Edwards moved the recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

LAKE RIDGE VILLAS - SIDEWALK REQUIREMENT - REQUIREMENT AMENDED

Chairman Edwards reported the Public Works Committee recommends that the approval of the Lake Ridge Villas be amended to delete the requirement for sidewalks on Lake Ridge Drive and New Hope Road abutting property not owned by the Lake Ridge Villas Homeowners Association. On behalf of the Committee, Mr. Edwards moved the recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

TC-249 - RECOMBINATION PROCEDURE - APPROVED AS AMENDED

Chairman Edwards reported the Public Works Committee recommends that the Planning Commission's recommendation on Text Change 249 be approved with the exception of Paragraph 7, with the understanding that Paragraph 7 would be in accordance to the advertised text change. (Council Members received a copy of the recommended text change in their Agenda packets.) On behalf of the Committee, Mr. Edwards moved the recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ORDINANCE NO. (1983) - 234 TC 203

AN ORDINANCE TO AMEND THE SUBDIVISION REGULATIONS TO ESTABLISH PROCEDURES FOR RECOMBINATIONS

WHEREAS, N.C.G.S. 160A-376(1) provides for the recombination of previously subdivided and recorded lots; and

WHEREAS, the Raleigh City Council finds that uniform regulations about the form of recombination recorded documents are necessary to eliminate confusion and misunderstanding with other recorded instruments.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF RALEIGH, NORTH CAROLINA, THAT:

Section 1. Chapter Three of Part Ten of the Raleigh City Code, Subdivision, is hereby amended to add a new section, 10-3005, said section to follow Section 10-3004, and it shall read as follows:

"Sec. 10-3005. Recombinations.

(a) Recombination by recorded maps.

No recombination of lots by map shall be effective unless:

(1) The resultant lots are equal to the standards of this Code, provided that nothing contained in Section 10-3043(b) shall prevent the recombination of lots when the recombined lots are not less than fifty (50) feet wide at the building line not less than eighty (80) feet deep and the recombined lots more closely conform to the minimum lot size standards in this Code;

(2) The total number of lots is not increased;

(3) All the metes and bounds boundaries of the affected lots are shown, but metes and bounds based on pre-existing deeds and maps may be used;

(4) All lot boundaries changed or eliminated by requested combination are indicated by dashed lines;

(5) The title block contains the word recombination;

(6) Structures on the affected lots which are located within twice the distance of any requested lot line are shown and the requested recombination does not violate the setback requirements of the zoning chapter;

(7) The recombination plat is signed by all property owners if either the number of lots is reduced or different owners for different lots are involved in the recombination;

(8) The recombination plat is signed and sealed by a registered surveyor;

(9) The recombination plat is certified by the Planning Director or his designee; and

(10) The recombination plat conforms to all law and ordinances for the recordation of maps.

Cross-Reference - access limitations § 10-3058(d);

(b) Recombination by recorded instrument.

No recombination of lots by recorded instrument shall be effective unless:

(1) The resultant lots are equal to the standards of this Code, provided that nothing contained in Section 10-3043(b) shall prevent the recombination of lots when the recombined lots are not less than fifty (50) feet wide at the building line not less than eighty (80) feet deep and the recombined lots more closely conform to the minimum lot size standards in this Code;

(2) The total number of lots is not increased;

(3) The instrument contains a metes and bounds description of the new recombined lots or reference is made to a recorded plat;

(4) The instrument contains a statement as to the total acreage of the effected lots;

(5) The title of the instrument contains the word recombination;

(6) The instrument contains a certification that the recombination does not violate the setback requirements of the zoning chapter;

(7) The instrument is signed by all property owners and is recorded with the Wake County Registry;

(8) If the number of lots is reduced, the instrument is to indicate which lots are eliminated;

(9) The recombination is certified by the Planning Director or his designee; and

(10) The instrument conforms to all laws and ordinances for the recordation of declaration.

Cross-Reference - access limitations § 10-3058(d).".

Section 2. All ordinances and clauses in conflict herewith are hereby repealed to the extent of said conflict.

Section 3. This ordinance has been adopted following a duly advertised joint public hearing of the Raleigh City Council and the City Planning Commission following a recommendation of the Planning Commission.

Section 4. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

Section 5. This ordinance shall be enforced as provided in N.C.G.S. 160A-175.

Section 6. This ordinance shall become effective five (5) days following its adoption.

Section 7. This ordinance has been filed with the Wake County Register of Deeds as required by law.

Section 8. This ordinance shall not affect the validity or status of any recombination map or instrument recorded prior to the effective date of this ordinance.

Adopted: 11/15/83

Effective: 11/20/83

DEVELOPMENT PROCESS - SUNSET CLAUSE - REFERRED TO ADMINISTRATION

Chairman Edwards reported the Public Works Committee recommends that this item be referred to Administration to work with the appropriate building, development groups, etc., to develop a possible recommendation to be brought back to the City Council for consideration. On behalf of the Committee, Mr. Edwards moved the recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

SUBDIVISION S-114-83 - LITCHFORD PARK CONDOMINIUMS - APPROVED WITH CONDITIONS - AREA TO BE EXCLUDED FROM PERRY CREEK POLICY

Chairman Edwards reported the Public Works Committee recommends that this request to construct a 314 unit condominium project consisting of twenty-two buildings on 34.18 acres be approved according to a map entitled, "Litchford Park Condominiums," the property of R and R Properties, drawn by McNeely and Associates, dated October 6, 1983, with the following conditions: (1) that a storm water management program and plan be developed and approved by the staff in conformance with the Perry Creek storm water policy being formulated by City Council. Due to confusion that may have existed at the time the City approved serving this area, the Committee further recommends that this area not be included in the Perry Creek policy boundaries. It is further recommended that Area No. 2, as indicated on a map that was available at the meeting, should also be excluded from the policy area as this is a previously approved project. On behalf of the Committee, Mr. Edwards moved the recommendation be upheld. His motion was seconded by Ms. Babb.

Mr. Jordan questioned if this area flows to the pump station at North Ridge, with Mr. Edwards indicating that is true. He indicated there are areas that can go into the North Ridge Pump Station that are in the Perry Creek area, and it is felt that these two areas will be excluded because one was seeking permission to be served and the other had already been approved prior to development of the Perry Creek policy. In response to questioning, Mr. Edwards indicated the development had not started in Area 2, but it is a legally approved subdivision and was approved prior to development of the policy. His motion was seconded by Mr. Upchurch and put to a vote which resulted in all members voting in the affirmative, except Mr. Keller who voted in the negative. The Mayor ruled the motion adopted.

PUBLIC NUISANCE COST CONFIRMATION - 700 CHURCH ROAD - APPROVED

Chairman Edwards reported the Committee recommends that the public nuisance abatement charge of $1,775 be confirmed against 700 Church Road. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Upchurch and passed unanimously. The Mayor ruled the motion adopted. See Resolution 393.

UNFIT BUILDING - 607 and 607½ WASHINGTON STREET - ORDINANCE ADOPTED

Chairman Edwards reported the Public Works Committee recommends that the Council adopt an ordinance declaring the dwelling at 607 and 607½ Washington Street unfit for human habitation. The motion was seconded by Mr. Upchurch and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. 1983-235

AN ORDINANCE FINDING THAT THE PROPERTY DESCRIBED HEREIN IS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED UNTIL REPAIRED OR DEMOLISHED AS DIRECTED BY THE INSPECTIONS SUPERINTENDENT.

WHEREAS, the City Council of the City of Raleigh finds that the property described herein is unfit for human habitation under the provisions of Part 7, Chapter 4, Article G of the Code of the City of Raleigh, North Carolina, entitled "Housing Code," and that all of the provisions of said article have been complied with as a condition of the adoption of this ordinance; and

WHEREAS, said house should not be occupied until repaired to meet the requirements of the Minimum Housing Standards Ordinance, or that the same should be demolished as directed by the Inspections Superintendent, and should be placarded by placing thereon a notice prohibiting use for human habitation:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Inspections Superintendent of the City of Raleigh be and he is hereby authorized and directed to place a sign on the building at location listed herein containing the legend: "THIS BUILDING IS UNFIT FOR HUMAN HABITATION; THE USE OR OCCUPANCY OF THIS BUILDING FOR HUMAN HABITATION IS PROHIBITED AND UNLAWFUL."

Property Owner	Location
Heneritta Little Hutto	607 and 607½ Washington Street

Section 2. It shall be unlawful for any person to remove said placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any said building for human habitation.

Section 3. That a copy of this ordinance shall be recorded in the Office of the Register of Deeds of Wake county.

Section 4. This ordinance shall become effective November 15, 1983.

Adopted: 11/15/83

Effective: 11/15/83

PUBLIC WORKS COMMITTEE PENDING ITEMS - REPORTED OUT WITH NO ACTION TAKEN

Chairman Edwards reported the Public Works Committee recommends that the following items be reported out of Committee with no action taken. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Upchurch and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. The items were as follows:

75. Sidewalk Program
103. Storm Water Management - Rowan/Rockingham Street Area (Joe Homovec)
123. Street Resurfacing - Randolph and Perquimans Streets
135. Criteria for Special Use Permits
140. Utilities and Franchises in City Right-of-Way
154. Sign Ordinance - Flags
177. O&I District Sign - Crabtree Center Associates (Ben Taylor)
201. Study - Governor's Conference for Women in Economy
205. Two Lot Subdivisions

PUBLIC WORKS COMMITTEE PENDING ITEMS - REFERRED TO ADMINISTRATION

Chairman Edwards reported the Public Works Committee recommends that the following items be referred to Administration for follow-up as needed. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Upchurch and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. The items were as follows:

6. General Development Study
11. Setbacks for Cemeteries in Residential Districts
17. Lane Street - Possibility of Making Two-Way
26. Utility Extension and Thoroughfare Requirements (Comments from PROD)
64. Water Problem - Marlborough Road - Lockwood
89. Water Lines - Crosswinds Subdivision
95. City Policy - Streets with Medians
126. Lake Woodard Road
130. Pedestrian Crossover - Crabtree Valley
155. Easement Negotiation - Lot 64, Brookhaven (Richard Wargin)
157. Vibrations - Robinhood Drive
165. The Carriage House
166. Responsibility for Removal of Debris in Water Courses
167. Condemnation of Commercial Building - 2400 Crabtree Boulevard (Dr. Cliff Baker)
173. Policy for Development of Perry Creek Basin
176. Raleigh Little Theatre - Guidelines for Use of Amphitheater
181. Financing of Storm Water Management Structures
183. Garbage Collection - Higher Density Infill Residential/Condominium Developments
186. Storm Drainage - 408 Snelling Road (Joseph Winters, Jr.)
192. Drainage Problem - Rochester Heights Area
203. Development of Policy Relating to Falls Lake
206. Design Criteria for Collector Streets
209. Durant Trail Subdivision - Clarification of Storm Drainage Requirements
213. Assessment Appeal - Lots 60 and 61, Brookhaven Drive (M.M. Brosnahan)
214. Storm Water Management
215. Traffic in Cameron Park
216. County Program for Monitoring Package Plants in ETJ
217. Sidewalk Installation - New Bern Avenue Between Tarboro and Pettigrew
218. Lack of Sidewalks - North Ridge Subdivision

REPORT AND RECOMMENDATION OF THE COMPREHENSIVE PLANNING COMMITTEE

REZONING Z-21-83 - MEMORY LANE - APPROVED - ORDINANCE ADOPTED

Chairman Calloway reported the Comprehensive Planning Committee recommends that the property covered by rezoning application Z-21-83 be rezoned to Office and Institution-I. This includes approximately twenty acres, known as Lots 16, 17, 18, 117, 118, 123, 182 and 183, Tax Map 409. On behalf of the Committee, Mr. Calloway moved the recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1983) 236 ZC 129

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RALEIGH WHICH INCLUDES THE ZONING DISTRICT MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Section 10 of the City of Raleigh Code, which includes the Zoning District Map, be and the same is hereby amended as follows:

(a) Memory Lane, east side, between Millbrook Road and Old Wake Forest Road, being Parcels 16-19, 117-118, 123 and 182-183, Tax Map 409, approximately twenty acres rezoned to Office and Institution-I District.

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective upon the date of adoption.

Adopted: 11/15/83

Effective: 11/15/83

CRABTREE BOULEVARD EXTENSION - REFERRED TO ADMINISTRATION

Chairman Calloway reported the Comprehensive Planning Committee recommends that this item be referred to Administration for consideration in the Thoroughfare Plan evaluation. On behalf of the Committee, Mr. Calloway moved the recommendation be upheld. His motion was seconded by Mr. Jordan and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

SOUTHEAST DISTRICT PLAN AND RECOMMENDATIONS ON THE PLAN - REFERRED TO ADMINISTRATION FOR STUDY

Chairman Calloway reported the Comprehensive Planning Committee recommends that the City Council direct Administration to consider a possible amendment to the Southeast Land Use Plan as it relates to the location of the metro-focus areas when considering development of a specific economic development strategy for this area. This recommendation is with the understanding that the original task force and others would be included in this effort. On behalf of the Committee, Mr. Calloway moved the recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

DOWNTOWN EAST/EAST SIDE REDEVELOPMENT PLAN - APPROVED AS AMENDED

Chairman Calloway reported the Comprehensive Planning Committee recommends adoption of the Downtown East/East Side Redevelopment Plan as amended and as included in the City Council Agenda packets. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Edwards.

Mr. Calloway indicated the City Attorney was asked to make a report on the comments received at the Committee meeting from Aldert Root. City Attorney McCormick indicated Mr. Root's concern was that the City would be doing some rezoning and secondly was concerned about the City's plan to put some restrictive covenants on the property that might effect the value of the property. He stated he did not think that Mr. Root had any problem as the City is not doing any rezoning and the property would be evaluated before any restrictive covenants were put on it.

Discussion took place on Mr. Root's letter and concerns with Planning Director Chapman indicating at this point, the only restriction would be against the use of hotel, motel or motor court on this property. He stated the restrictive covenants would be placed on the land only after the City acquired land. After brief discussion, the motion, as stated, was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983) 404

PHASE I - RESIDENTIAL PLAN

AMENDMENT TO THE DOWNTOWN EAST/EAST SIDE REDEVELOPMENT PLAN

WHEREAS, the City of Raleigh is undertaking a comprehensive program of downtown revitalization involving public and private sector cooperation in redevelopment and rehabilitation; and

WHEREAS, as part of this program, the City adopted on January 19, 1983, the Downtown East/East Side Redevelopment Plan; and

WHEREAS, this plan provides a framework for future specific redevelopment projects to be added as amendments as they are identified and duly adopted by the City; and

WHEREAS, the Private Sector Housing Committee was appointed by the City Council in March, 1983, to develop new housing initiatives for both downtown and southeast Raleigh; and

WHEREAS, the City Council on August 16, 1983, endorsed a recommendation of the Private Sector Housing Committee by authorizing an amendment to the Downtown East/East Side Redevelopment Plan be prepared addressing the Phase I residential opportunity site; and

WHEREAS, the Phase I - Residential Plan has been prepared identifying specific redevelopment actions and funding, as well as public improvements in support of redevelopment; and

WHEREAS, the Phase I - Residential Plan has been reviewed and approved by the Raleigh Planning Commission; and

WHEREAS, the Phase I - Residential Plan was presented at a public hearing before the City Council, the Redevelopment Authority for the City of Raleigh, in accordance with North Carolina Urban Renewal Law; and

WHEREAS, the City Council on November 15, 1983, approved the Phase I - Residential Plan by unanimous vote;

THEREFORE, BE IT RESOLVED that the Phase I - Residential Plan is hereby adopted and amended to the Downtown East/East Side Redevelopment Plan and that the City will undertake redevelopment and public improvements proposed in the Phase I - Residential Plan in accordance with the provisions therein and applicable State and Federal laws.

Adopted: 11/15/83

REPORT AND RECOMMENDATION OF THE MUNICIPAL BUILDING COMMITTEE

MUNICIPAL BUILDING COMMITTEE - INFORMATION RECEIVED

Mr. Edwards indicated the Municipal Building Committee had a tour yesterday of the new building and confirmed that a meeting could not be held in the building in December. He indicated, however, construction on the building basically is on schedule. He stated the City had hoped to have today's meeting in the new building or possibly the December 6 meeting to have a symbolic type program in the new building, but that is impossible. He stated at this point, it is felt that the building will be completed the first of February, and that will bring all City departments under one roof. He indicated the parking deck is progressing nicely, and it should be completed in July, 1984, and that will complete the construction of the Municipal Building Block, twenty-four years after the first plan was drawn. He stated he was pleased to have been a part in the construction.

REPORT AND RECOMMENDATION OF THE DOWNTOWN COMMITTEE

CENTRAL TRANSIT TRANSFER FACILITY - DISCUSSED LATER IN THE MEETING

CAROLINA REGIONAL THEATRE - PROPOSED AGREEMENT AND LOAN - APPROVED; ADMINISTRATION TO GIVE STATUS OF ROOF AT THEATRE IN THE PARK

Mayor York indicated the Downtown Committee recommends approval of the $75,000 loan to Carolina Regional Theatre and approval of the contractual agreement as amended at the last Council meeting. Mayor York indicated the item was referred to Committee as the matter came up related to profits over $50,000 and how they would be handled. He stated this was discussed in Committee, and the Committee agrees with the recommendation by Administration as explained at the last meeting which representatives of CRT agree with. Mr. Edwards moved the recommendation, as outlined, be upheld. His motion was seconded by Mr. Walters.

Mayor York indicated at the last Downtown Committee meeting, there was concern expressed about Theatre in the Park as it relates to the budget as they were afraid that this loan might be taken out of what Theatre in the Park may get from the City. He stated this is not the case, pointing out the City does support Raleigh Little Theatre as well as Theatre in the Park, and this appropriation would have nothing to do with their level of support. He indicated a second concern has been expressed relating to the fact that Carolina Regional Theatre is a professional theatre and the others rely on volunteers. He indicated it was his feeling that CRT has already been in existence, and there should be nothing different than what has occurred in the past. Mayor York indicated as a point of personal privilege, he would like to ask that Paul Reynolds, III, be allowed to speak. Without objection, this was agreed to.

Paul Reynolds, III, indicated he was President of Raleigh Little Theatre and was at the meeting today representing RLT as well as Theatre in the Park and various other theatres throughout the City, including the one at Meredith College and North Carolina State University. He indicated they appreciate the help that the City has provided them in the past years and also applaud the efforts for revitalization of the downtown area and utilization of Memorial Auditorium. He indicated, however, they are concerned about the loan to Carolina Regional Theatre, pointing out the productions they do will utilize professional actors, and these actors will have to sign a contract indicating they will not participate in any other productions while they are under contract. He stated the main question they have is what criteria will CRT be utilizing to define professional actor. He stated they believe paying the actors will have an adverse effect on the volunteer groups, pointing out why would anybody volunteer their services when they could do the same thing and be paid. Mayor York indicated he does not quite understand how this is different from other professional theatres in the City like the Barn Dinner Theatre. He stated he does not see that the City is doing anything different. They are just trying to do things better.

Mr. Walters indicated as he understands the concern, the professionals would be the same people that are now working with the volunteer organizations, but they will be placed under contract as professionals. He explained the Barn Dinner Theatre brought in professional actors and would utilize some local people, but CRT would utilize local people, and this is a problem he had not thought about. He indicated his impression at the presentation was that they would be utilizing professional actors, but now it appears they will be utilizing local people and in his opinion, the term "professional" needs to be defined. Mayor York indicated it looks as if this would

be good as it would give people an opportunity to get into an acting career on a professional basis, with City Manager Zachary agreeing that this would provide an opportunity for someone who wants to act to do that type work and become a professional, pointing out they will be touring, and it would be like a full-time job for them. He stated he looked at this as a plus for the citizens of Raleigh.

Ms. Babb indicated she, too, had had several calls about this, pointing out there are different ways to approach this question. She indicated she was looking at it as a way of generating activities downtown and for Memorial Auditorium, pointing out the key to the success of anything is that critical mass. She stated the City wants to encourage this type activity downtown. She pointed out the City is becoming a major urban area, and we have a diverse group of people, and we have to provide for different interests. She stated another way of approaching this is that the other theatre groups think of what effect it will have on them. She indicated the other theatre groups are strong and unwaving, and the theatres at the university and the college have as their base the student population. She indicated she is sympathetic and concerned, but she feels good about offering this alternative to the public, pointing out she feels it will be positive for the City and citizens. Mr. Reynolds indicated the only problem they have is what is a professional. He indicated what the other theatre groups feel is that in Raleigh, CRT will look at the now volunteers as being their professionals, with Ms. Babb pointing out we are talking about more options. She indicated in a City the size of Raleigh, there is a lot of talent, and she does not think that four or five productions will deplete that talent supply. Mayor York indicated we could note this concern and monitor it, and if it does become a problem, we could reevaluate the City's position. Other discussion took place, after which the motion, as stated, was put to a vote which passed unanimously. The Mayor ruled the motion adopted.

Ms. Babb asked the City Manager to give the Council a report on the status of getting the roof on at the Theatre in the Park. Without objection, this was agreed to.

REPORT AND RECOMMENDATION OF THE PARKS AND RECREATION ADVISORY BOARD

AMUSEMENT BUDGET - PARK CAPITAL FUND - CONCERNS REFERRED TO LAW AND FINANCE COMMITTEE

Jeanette Bennett, representing the Parks and Recreation Advisory Board, indicated on October 26, 1983, that Board discussed the City's current procedure of using funds from the Park Capital Fund to supplement the Amusement Budget. Ms. Bennett presented the following prepared remarks:

"For a number of years, the City has adopted a special tax levy for park improvements. Initially monies derived from this tax were used for the expressed purpose of acquiring park land, major construction, and for matching grant funds. About nine years ago, this policy was changed in that money was transferred from this fund--the Park Improvement Fund--to cover the operating deficits in the Amusement Funds. Before that time, the Amusement Fund deficit was offset by transfer of money from the General Fund. Over $575,000 has been expended from the Park Improvement Fund to cover operating deficits since 1977.

It was brought to our attention that the cost of the new Revenue and Special Facilities Division has been placed in the Amusement Fund Budget. We feel very strongly that this expenditure is an operating expense and recommend that it be charged to the General Fund.

We have also learned that the park public utilities bills will also be charged to the Amusement Fund Budget. In the past, these items, water, sewage, light and power, have been charged to the General Fund.

With the addition of the new items to the Amusement Fund Budget, the expenditures for the present fiscal year will be increased by $222,923. Therefore, it is projected that total expenses will exceed income by $485,855. This will further increase the deficit. Where will monies come from to meet this deficit? Present practices dictate that the money will come from the Park Improvement Fund.

The Parks Board is very concerned that the Park Improvement Fund is being "eroded," and if the present practice of supporting the Amusement Budget from the Park Improvement Fund continues, there will be very minimal funds left for acquisition and construction. We wish to go on record as being opposed to this practice of using capital funds to cover operating deficits. Therefore, the Board recommends to Council that you re-establish the policy of taking deficits from the proper operating source--the General Fund--and not from the Park Improvement Fund. Because of the extreme importance of this matter to the entire parks system, we request the opportunity to work through this matter with Council by special committee assignment."

City Manager Zachary indicated what Ms. Bennett is saying is correct. He explained up until about nine years ago, this was handled in a different manner. He stated he looked at the Amusement Budget as a priority item, so he felt deficit in that area should come from Parks Funds so that it would be looked at closer by the Parks Department, Parks and Recreation Advisory Board, as well as the City Council. This question does deserve specific study, and he has no objection to the Council or anyone studying this procedure and making recommendations.

Mr. Keller indicated there is a great deal of concern about this practice basically because larger and larger amounts of money are coming from the Park Capital Fund to supplement the Amusement Budget, and they are afraid that the Park Capital Fund will get down to zero. He stated he feels that we should take a long, hard look at this, and he would recommend that this item be referred to the Law and Finance Committee to work closely with Administration and the Parks and Recreation Advisory Board for study and recommendation. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE REAL ESTATE COMMITTEE

CD FAIR MARKET DISPOSITION VALUE - 211 FREEMAN STREET - APPROVED

Chairman Walters reported the Real Estate Committee recommends that the fair market disposition value on property at 211 Freeman Street be set at $35,000. He indicated this is Parcel B-00140004. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Edwards, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE CITY MANAGER

NASH SQUARE - STATUE OF JOSEPHUS DANIELS - CITY COUNCIL CONCURS WITH LOCATIONS

On August 2, 1983, the City Council approved in principle the erection of a statue to Josephus Daniels in Nash Square. The Josephus Daniels Foundation is now prepared to commission a sculptor. Before final commitments are made, the Foundation desires to show Council an illustration of the statue and determine the possible locations of the statue within the Square. The final location will be decided upon in conjunction with the artist at a later date. Illustrations of the proposed statue and locations were available at the meeting, with it being pointed out the three locations were basically as follows:

1. Along McDowell Street in the grassed area in the northeast quadrant;

2. Along a pedestrian path within the park;

3. Center of the square.

City Manager Zachary indicated it is recommended that the Council acknowledge that the locations indicated in Nash Square are suitable for the statue. He stated basically he feels that Alternative No. 1 would be best, but it would be up to the Josephus Daniels Foundation. Ms. Babb moved that the Council acknowledge that the locations are suitable for the statue. Her motion was seconded by Mr. Keller and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

BIDS PW 1983-3 and 6 - WAKE FOREST WIDENING AND PORTIONS OF ATLANTIC AVENUE - TO BE REBID

City Manager Zachary indicated Administration was to receive bids on November 10, 1983, for PW 1983-3 and PW 1983-6. He stated we did not get enough bids, and the items would be readvertised so that we could receive additional bids on November 23, and a report would be made to City Council on December 6. The item was received as information.

BID REQUEST 83-28 - SALE OF SURPLUS WEAPONS - JOINT AWARD MADE

Pursuant to advertisement as required by law, bids were received and publicly opened in the Office of the Purchasing Agent on November 10, 1983, for sale of surplus weapons. Administration recommends that the following high bidders and amounts be approved:

Item #	Description	High Bidder	Amount
1	5 - Colt Mk 111 weapons	Robert Walker	577.00
2	5 - Colt Mk 111 weapons	Robert Walker	577.00
3	5 - Colt Mk 111 weapons	Robert Walker	577.00
4	5 - Colt Mk 111 weapons	Robby Plush	600.50
5	5 - Colt Mk 111 weapons	Robert Walker	577.00
6	6 - Colt Mk 111 weapons	Robert Walker	691.00
7	5 - Colt Mk 111 weapons	Robert Walker	577.00
8	5 - Colt Mk 111 weapons	Robert Walker	577.00
9	5 - Colt Mk 111 weapons	Robby Plush	631.00
10	5 - Colt Trooper weapons	Robert Walker	578.00
11	5 - Colt Trooper weapons	Peterson.Guns-	675.81
		smithing	-
12	3 - Colt Trooper weapons and	Peterson	
-	2 - Colt Mk 111 weapons	Gunsmithing	491.51
13	4 - Colt Trooper weapons and	Peterson	-
-	1 - Colt Mk 111 weapon	Gunsmithing	475.51
14	5 - Colt Det. Specials	Republic Arms	599.95
15	4 - Colt Det. Specials and	Peterson Gun-	
-	1 Cobra weapon	smithing	601.56
16	5 - Colt Det. Specials	Republic Arms	549.95
17	5 - Colt Det. Specials	Republic Arms	499.95
18	3 - Colt Det. Specials and		
-	3 - Cobra weapons	Oklahoma Sports	576.16

Item #	Description	High Bidder	Amount
19	12 Gauge Shotgun	East Side Pawn	59.88
20	12 Gauge Shotgun	East Side Pawn	59.88
21	12 Gauge Shotgun	East Side Pawn	59.88
22	12 Gauge Shotgun	East Side Pawn	62.88
23	12 Gauge Shotgun	East Side Pawn	62.88
24	12 Gauge Shotgun	East Side Pawn	63.88
25	12 Gauge Shotgun	East Side Pawn	63.88
26	12 Gauge Shotgun	East Side Pawn	60.88
27	12 Gauge Shotgun	East Side Pawn	62.88
28	12 Gauge Shotgun	East Side Pawn	64.88
29	12 Gauge Shotgun	East Side Pawn	39.44
30	12 Gauge Shotgun	East Side Pawn	43.08
31	12 Ga. Winchester Shotgun	Vic's Sporting Arms	91.01
32	12 Ga. Winchester Shotgun	Vic's Sporting Arms	91.01
33	12 Ga. Winchester Shotgun	Vic's Sporting Arms	81.02
34	12 Ga. Winchester Shotgun	Vic's Sporting Arms	91.01
35	Reising Machine Gun	Ron Greenthaler	156.48
36	Reising Machine Gun	Bill Oren	150.00
37	Reising Machine Gun	Bill Oren	150.00
38	Reising Machine Gun	Ron Greenthaler	156.48
39	Reising Machine Gun	Ron Greenthaler	156.48
40	Reising Machine Gun	Ron Greenthaler	156.48
41	Reising Machine Gun	Ron Greenthaler	156.48
42	Remington 30-06 rifle	Robby Plush	140.00
43	Remington 30-06 rifle	Robby Plush	135.00
44	Remington 30-06 rifle	East Side Pawn	125.88
45	Remington 30-06 rifle	Bill Oren	140.00
46	Remington 30-06 rifle	Bill Oren	140.00
47	Remington 30-06 rifle	Bill Oren	140.00
48	Remington 30-06 rifle	East Side Pawn	137.88
49	Remington 30-06 rifle	Robby Plush	145.00
50	50 - ammo slings	Oklahoma Sports	59.00
51	45-38 cal. holsters	Charles Hardy	199.90
52	200 - 4" holsters	Divines Sports Ctr.	259.00

Mr. Edwards moved Administration's recommendation be upheld. His motion was seconded by Ms. Babb, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ATLANTIC AVENUE CONSTRUCTION - RELOCATION OF UTILITY POLES - EXPENDITURES AUTHORIZED

The Agenda indicated the Council is requested to approve expenditures, if not more than $20,000, for relocation of utility poles relating to the Atlantic Avenue construction. Council members received a copy of a letter from Carolina Power and Light Company in their Agenda packets explaining this relocation. Approval is recommended by Administration. Mr. Edwards moved Administration's recommendation be upheld which was seconded by Mr. Upchurch, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

PERSONNEL - ADDITIONAL POSITION IN FINANCE DEPARTMENT - APPROVED - FUNDS APPROPRIATED

This is a request for the addition of an Office Assistant III level position and an automobile for in-City transportation at a total first year cost of $14,400 and continuing annual costs of $12,000.

The $14,400 should be provided by a budget amendment to our privilege license revenue account and the various expenditures accounts in the 3020 division budget according to the following amendment request:

Increase Revenues:		
01-1-0030-0119	Schedule B	$14,400.00
Increase Expenditures:		
01-2-3020-0100	Salaries	$ 6,400.00
01-2-3020-0230	M & O	1,000.00
01-2-3020-0702	Automobile	7,000.00
		$14,400.00

Information from the Finance Director justifying this request was included in Council Members' Agenda packets. Approval is recommended. Ms. Babb moved Administration's recommendation be upheld. Her motion was seconded by Mr. Calloway, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 226.

BRAGG STREET OPPORTUNITY SITE - ADMINISTRATION AUTHORIZED TO SOLICIT PROPOSALS

Community Development Director Wray presented Council members with information entitled, "Bragg Street Site Development Project, Request for Developer's Proposal." He went over the information which included an introduction to the project, site and project description, incentives, submission requirements, etc. He referred specifically to the zoning on the property, pointing out that the City has decided tentatively to limit development to a range of 85 to 115 units or more, in keeping with

R-10 to R-12 zoning and explained the City is primarily disposed to approximately 90 units as optimal for the quality of development desired. A greater number of units will be considered if thoughtfully planned and supportive of the City's short- and long-term area development goals. He indicated this gives the City flexibility but does not lock us in to a specific number of number of units. He went over the submission requirements briefly. He stated what Administration is requesting is that the City Council allow Administration to move forward in advertising the land for sale, pointing out we do not have a fair market value of the land at this point, but it is hoped that we would have it in another five to seven days. He stated, however, we do not have to have this information in order to bid the project. He stated we would utilize this information and advertise for proposals giving a ninety-day period to submit proposals back to the City. He stated then the City Administration would evaluate the proposals and make a recommendation to the City Council. Mr. Walters moved that Administration be authorized to proceed with advertising for developer proposals for the Bragg Street Residential Project, as outlined. His motion was seconded by Mr. Calloway and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

PERSONNEL RECLASSIFICATIONS - APPROVED - FUNDS APPROPRIATED

Twice each year, the Personnel Director considers requests from the Departments for these reclassifications. These changes can result from different assignments and/or duties. The following changes are recommended:

Department/ Division	Present Class/Grade	Requested by Department	Recommended by Personnel
Transportation	Traffic Signal Technician II/27	Study grade	UPGRADE TO 28 - Analysis of position requirements and responsibilities both internally and externally justifies one grade adjustment.
Parks and Recreation/ Recreation	Executive Director at Mordecai Park	Establish pay grade	GRADE 32
Public Works/ Streets	Asst. Streets Supt./34	Pay study	UPGRADE TO 36 - Position has developed with significant program coordination justifying two grade adjustment.
Public Works/ Sanitation	Labor Supervisor/29	Study duties and pay grade	LANDFILL SUPERVISOR/ 30 - Level of responsibilities and degree of independence justifies change.
Public Utilities/Warehouse	Office Assistant II/21 (Blomberg)	Office Assistant III/23	OFFICE ASSISTANT III/23 - Employee functioning as assistant to Warehouse Supervisor.
Public Utilities/Water Plant	Laborer II/21 (Whitley)	Equipment Operator I/22	EQUIPMENT OPERATOR I/22 - Position previously had Laborer responsibilities but gradual addition of equipment operation duties justifies reclassification.
General Government/Personnel	Personnel Technician/29	Study duties, pay grade, and title	PERSONNEL SPECIALLIST/30 - Addition of program development and implementation justifies one grade adjustment.

Department/ Division	Present Class/Grade	Requested by Department	Recommended by Personnel
Finance/Consumer Service	Office Assistant II/21	Study duties, pay grade, and title	MAIL MACHINES OPERATOR/24 - Position has same level and volume of work as Duplicating Machine Operator II. Reclassification would also make recruitment of competent personnel easier.
Human Resources	Office Assistant II/21	Office Assistant IV/25	OFFICE ASSISTANT III/23 - Level of responsibility and degree of independence justifies reclassification.
Planning	Planning Technician/30 (Rice)	Planner I/33	PLANNER I/33 - Additional supervisory responsibilities justifies reclassification.
	Planning Technician/30 (Cory)	Planner I/33	PLANNER I/33 - Additional responsibilities, particularly subdivisions, justifies reclassification.
	Planner II/36 (Harris)	Study title	EXECUTIVE DIRECTOR, RALEIGH HISTORIC DISTRICTS AND PROPERTIES COMMISSIONS/36

Administration recommends approval of the reclassifications, as outlined, and a transfer of $8,460.42 to cover the reclassifications for the remainder of this fiscal year.

Mr. Jordan questioned how this relates to the Washington situation, pointing out they are operating under a court order, with City Manager Zachary pointing out the City operates on the basis of demand, and this was discussed briefly. Mr. Walters moved the recommendation be upheld. His motion was seconded by Mr. Keller, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 227 TF 9.

ADDENDUM

TRANSFERS - CITY MANAGER, POLICE DEPARTMENT AND PUBLIC UTILITIES - ORDINANCE ADOPTED

The addendum presented a transfer in the City Manager's budget in the amount of $1,035 relating to accessories for dictation equipment; a transfer in the Police Department in the amount of $5,000 relating to additional funds for Operations and $5,800 to replace funds in the Uniform and Equipment Account that were used in error to purchase portable radio batteries; as well as a transfer of $7,500 in the Public Utilities Department to fund additional diesel fuel tank and fuel for the generator house at the E. M. Johnson Plant. Administration recommends approval of the transfers as outlined. Mr. Calloway moved Administration's recommendation be upheld which was seconded by Mr. Keller, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 227 TF 9.

EXTRATERRITORIAL JURISDICTION - CITY OF RALEIGH/TOWN OF GARNER - PUBLIC HEARINGS AUTHORIZED

The City of Raleigh, on October 4, 1983, and the Town of Garner, on November 7, 1983, approved a plan to realign the common extraterritorial jurisdiction line. This plan places a 330-acre tract east of the I-40 extension (proposed) in Raleigh's jurisdiction. The City now needs to apply its zoning to this tract as soon as possible. The area is currently zoned Residential-40 by Garner. It is recommended that the City Council:

1. Authorize a rezoning advertisement for the January zoning hearing to zone the property Residential-4; and

2. Authorize an advertisement for the January zoning hearing to amend the Official ETJ Map to conform to the adopted Raleigh/Garner realignment.

Mr. Edwards moved Administration's recommendation be upheld. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

NCDOT PUBLIC HEARING - BELTLINE/GLENWOOD AVENUE INTERCHANGE IMPROVEMENTS - CITY TO SUPPORT

The North Carolina Department of Transportation will hold a public hearing at 7:30 p.m. on December 1, 1983, for the purpose of presenting their proposed improvements within and adjacent to the Beltline interchange with Glenwood Avenue and for the purpose of receiving public comments. The proposed changes to the interchange are technical in nature but will consist generally of the removal of one of the loops within the cloverleaf, widening of some ramps, additional lanes on Glenwood Avenue, additional left turn lanes at Leesville Road and Blue Ridge Road and signals on Glenwood Avenue within the interchange area. These proposals have been reviewed in some detail with the City's DOT staff, and the City concurs in the proposals which the State plans to carry out. Mayor York indicated he hopes that Mayor-elect Upchurch will be able to attend, with Mr. Upchurch indicating he plans to if he gets back from the New Orleans meeting in time. He stated if he does not, then Mr. Benton will present the City's position. The item was received as information. Therefore, by general consensus, it was agreed that a representative of the City Council or Administration, as outlined, will appear at the public hearing in support of these proposed improvements.

MUNICIPAL BUILDING - PURCHASE OF NEW MODEL TELEPHONES - APPROVED

The addendum explained the single-line telephone instruments which were used in the demonstrations at the Civic Center are known as flashphones. This phone has an easily identified button on the face plate of the telephone instrument which is more easily used than the switch hook for transferring telephone calls and invoking other system features. In order to utilize this telephone in the existing and New Municipal Buildings, it is necessary to increase the original contract by the difference of $1,524.44. The original contract included a telephone instrument which would require utilization of the switch hook for invoking system commands. The City has examined both types of telephones and believes that the addition of this system will help prevent user problems. Administration recommends approval of the use of the new telephone instrument at the additional cost of $1,524.44. Mr. Edwards moved the recommendation, as outlined, be upheld. His motion was seconded by Mr. Calloway, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RIDGE ROAD POOL - CHANGE ORDER GC-21 - APPROVED - FUNDS APPROPRIATED

It was pointed out the State of North Carolina has reviewed the design incorporated in Change Order GC-20 at Ridge Road Pool and have found it to be inadequate. On November 3, 1983, the City Council approved this change order in the amount of $7,027. Change Order GC-21 is in addition to that and relates to additional work as outlined in GC-20. Administration recommends approval of the change order and an appropriate transfer in the amount of $3,541. Brief discussion took place and Mr. Edwards moved Change Order GC-21, as outlined, be approved as well as the appropriate transfer. His motion was seconded by Mr. Keller and passed unanimously. The Mayor ruled the motion adopted. See Ordinance 227 TF 9.

TAXICAB OWNER'S PERMITS - APPROVED ON FIRST CONSIDERATION - TO BE PLACED ON DECEMBER 6, 1983, AGENDA

The addendum indicated the following two applications have been received to operate a taxi. They have been checked and meet requirements of Section 12-2053 of the City Code. Administration recommends approval on the first reading with the understanding the items would be placed on the December 6, 1983, Agenda for second and final consideration: Archie Graham Kenan, Acme Cab Company - Renewal; Excell Wilson, Ebony Cab Company - Renewal. Mr. Calloway moved Administration's recommendation be upheld. His motion was seconded by Mr. Keller and passed unanimously. The Mayor ruled the motion adopted.

MUNICIPAL AGREEMENT - DAWSON/McDOWELL STREET - APPROVED - RESOLUTION ADOPTED

The North Carolina Department of Transportation has proposed that the City enter into a Municipal Agreement concerning the construction of the Dawson/McDowell extension project. The agreement provides that the City would pay the State an amount of $300,000 per year for ten years as its proportionate share of the cost of this project. Administration recommends approval of the Municipal Agreement. Mr. Calloway indicated there has been a proposal circulating that involves Six Forks Road and questioned if this would have effect on that. Assistant City Manager Benton indicated Six Forks Road extension, if completed, would be handled under the State's Industrial Access Program and has nothing to do with this project. Mr. Calloway questioned if the Six Forks proposal requires Council approval. This was discussed briefly. Mr. Upchurch moved the Municipal Agreement, as presented, be approved. His motion was seconded by Mr. Keller, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983) 395

COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA

A motion was made by Councilman Upchurch and seconded by Councilman Keller for the adoption of the following resolution, and upon being put to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans to make certain street and highway improvements within this municipality under Project 8.2433103, Wake County, said plans consisting of the construction of McDowell and Dawson Streets to South Saunders Street; and,

WHEREAS, said Department of Transportation and this municipality propose to enter into an agreement for the above-mentioned project whereby this municipality agrees: (1) to effect the necessary adjustment of any utilities under franchise without cost to the Department of Transportation, and (2) to enter into a supplemental agreement with the Department covering the relocation and adjustment of municipally-owned utilities. Department will reimburse this municipality in accordance with said Department's Municipally Owned Utility Policy; and,

WHEREAS, said Department of Transportation agrees to acquire the right-of-way and construct the project in accordance with the approved project plans; and,

WHEREAS, this municipality agrees to reimburse the Department of Transportation to the extent of $3,000,000.00 for construction costs of this project with reimbursement to be made in ten equal annual installments to begin on October 15, 1984. However, this participation is contingent upon the Department of Transportation awarding this contract no later than July 15, 1984; and,

WHEREAS, the Department will construct sidewalks along South Saunders Street and the municipality agrees to reimburse the Department for this construction costs with reimbursement to be made in one lump sum payment upon completion of construction; and,

WHEREAS, the agreement will further provide for the establishment, maintenance, and enforcement of traffic operating controls for the regulation and movement of traffic on the project upon its completion.

NOW, THEREFORE, BE IT RESOLVED that Project 8.2433103, Wake County, is hereby formally approved by the City Council of the Municipality of Raleigh and that the Mayor and Clerk of this municipality are hereby empowered to sign and execute the agreement with the Department of Transportation.

Adopted: 11/15/83

THE CITY COUNCIL TOOK A RECESS BETWEEN 2:50 P.M. AND 3:00 P.M.

REPORT AND RECOMMENDATION OF THE DOWNTOWN COMMITTEE - CONTINUED

CENTRAL TRANSIT TRANSFER FACILITY - PRELIMINARY DESIGN APPROVED - CONSULTANT AUTHORIZED TO PROCEED; ITEM HELD IN COMMITTEE TO CONSIDER ASSOCIATED PARKING DECK

Don Ingle with Wilbur Smith Company, Terry Alford and Dick Bell were at the meeting to describe the preliminary design for the Central Transit Transfer Facility. Mr. Ingle explained the location, pointing out their agreement calls for them to prepare final designs. He presented the concept which he indicated is estimated to cost $1,425,000 which is about $3,500 in excess of the grant application, and that relates to the pedestrian access from the transfer point to Wilmington Street. He indicated this concept is estimated to cost some $859,000 to construct and $566,000 for right-of-way acquisition, pointing out the right-of-way acquisition cost is based on estimates prepared by the City's Real Estate Department. He explained the concept would allow buses to come through from Martin Street to Hargett or go back onto Blount Street. He pointed out the plan shows locations for fourteen buses to park initially with expansion for two additional spaces. He explained the bays for the buses would be zoned and would rotate so that buses could exit from any point without having to wait for the bus in front of it to leave. He explained the pedestrian length would be through the old Craig Restaurant in which we would retain the doorway and the second floor of the restaurant for reuse as office space. He explained the landscaping, water treatment, etc. He indicated their contract also called for them to design footings and foundation for a subsequent parking deck. He presented what he called Alternative A which would be a six level, 457 space parking deck which would provide substantial space on the ground floor for warehousing activities probably for the Tucker Furniture Company. He indicated locating the parking deck in this manner would call for the destruction of four buildings that have been deemed as very important to the historic district. He indicated as a consequence of these concerns, they have done preliminary designs on Alternative B which is the parking deck in a different location. He indicated either parking deck would fit the footprints of the transit facility, and the transit facility's design would be conducive to either parking deck. He explained Alternative B is six levels above the ground, mezzanine and basement level with 765 spaces. He explained additional water features that would be included, walkways and entrances to surrounding buildings, etc. He detailed the transfer facility design, possibility of expansion under Alternative B, pedestrian access for both alternatives of the parking deck, etc.

Brief discussion took place with Mayor York pointing out the Downtown Committee recommends approval of the consultant's preliminary design of the Central Transit Transfer Facility with authorization to proceed to final design. The Committee further recommends this item be held in Committee to further consider the associated parking deck with it being pointed out the Committee has expressed strong interest in Alternative B but is holding the item for an Administrative evaluation. Mr. Edwards moved the recommendation from the Committee be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE CITY ATTORNEY

COLLEGEVIEW MOBILE HOME CASE - CITY ATTORNEY'S RECOMMENDATION UPHELD

City Attorney McCormick indicated he sent Council members a memo relative to the Collegeview Mobile Home Case and a settlement of this case. He indicated he made a recommendation in that memo and would be happy to answer any questions. Mr. Keller questioned replacement mobile homes, with City Attorney McCormick indicating under this proposal during the next two year period, they can replace mobile homes as long as they do not exceed forty-five units, but at the end of two years and thereafter, they cannot exceed thirty-eight mobile homes. Mr. Keller questioned if there was any possible way to gradually eliminate this through attrition, with City Attorney McCormick indicating not by the terms of this judgment, explaining the only way to eliminate the mobile home park would be through amortization. Mr. Walters moved the City Attorney's recommendation, as outlined in his memo, be upheld. His motion was seconded by Mr. Jordan and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

REPORT OF MAYOR AND COUNCIL MEMBERS

URBAN LAND INSTITUTE - ARTICLE - RECEIVED AS INFORMATION

Mayor York indicated there is an article in the October, 1983, Urban Land Magazine by James Dennis Rash entitled, "Privately Funded Redevelopment in North Carolina." He stated this is a very interesting article. Assistant City Manager Benton presented Council members with a reprint of the article.

CITY COUNCIL SALARIES - INCREASE EFFECTIVE JULY 1, 1984

Mayor York presented Council members with a memo dated November 14, 1983, indicating he had mentioned at a previous Council meeting the possibility of raising Council salaries. The memo included a recent history of salary levels of the City Council beginning with the year 1974-75. He pointed out salaries have been at the current level for four years, as the last increase was effective December 1, 1979. He stated there has been inflation during this four-year period, and it is his impression that the workload is larger. He indicated he would recommend that an increase of $100 per month be made for Mayor, Mayor Pro Tem and Councillors effective July 1, 1984, and the level of pay would be as follows: Mayor - $800 per month; Mayor Pro Tem - $700 per month; Councillors - $600 per month. Mr. Edwards moved approval of the recommended increase in City Council's salaries effective July 1, 1984. His motion was seconded by Mayor York and put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

SPECIAL COMMITTEE ON POLICE AFFAIRS - CONCEPT ADOPTED - FINAL ACTION TO BE TAKEN BY NEXT CITY COUNCIL

Mayor York presented the following statement relating to the Special Committee on Police Affairs:

> "At the outset, I wish to commend our Police Chief and our entire Police Department for the excellent job they are doing.
>
> As a part of our role as a City Council in relating to the citizens at large, I believe we should endorse the following 'in concept.' The administration is preparing guidelines for clarifying this concept which should be addressed and approved or modified by the next City Council with input from the Coalition of Concerned Citizens and other interested citizens. In this way, both Councils will have played a role in setting up this procedure.
>
> The concept would be as follows: The Special Committee would consist of three members of City Council. On a four-month rotational basis, one member of the Committee would be available to sit in on Internal Affairs hearings, but only as deemed appropriate by the Committee; not on a routine basis. The Human Resources and Relations Advisory Committee would be advisory to the Special Committee.
>
> It should be made clear that the Special Committee is in no way to be an investigative body; but to serve as a communication means primarily in times of community tensions. It would be appropriate for the Committee to deal with matters during periods of tension whether or not the Police Department was involved."

Mr. Calloway indicated he had discussed this proposal with Mayor York along with Frank Roberts of the Coalition of Concerned Citizens. He stated he feels it is appropriate to approve this in concept, and it would be appropriate to refer this to the Coalition of Concerned Citizens for their input. Mr. Calloway moved that the draft be accepted with the understanding it would be finalized by the next City Council in conjunction with the Coalition of Concerned Citizens and with the further understanding that the Human Resources and Human Relations Advisory Committee will serve as the Advisory Committee to the Special Committee on Police Affairs. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

FALLS/JORDAN WATERSHED STEERING COMMITTEE - LETTER - REFERRED TO PUBLIC WORKS COMMITTEE

Mayor York presented Council members with a letter from Joe Grimsley, dated November 4, 1983, relating to the Falls Reservoir. He indicated the letter included a joint resolution that the State wants the City to endorse during the month of December. He indicated he feels it is appropriate that the new City Council have an opportunity for input on this statement and maybe the letter should be referred to the Public Works Committee for study and recommendation. Mayor York indicated he plans to attend the meeting on December 1 but pointed out he would hope someone from the new Council or Administration could also be at the meeting to provide for a transition between the old and new Council. He indicated maybe he could report at the meeting that the City of Raleigh is moving toward adoption of the resolution. Mr. Upchurch moved that the proposed joint resolution relating to Falls Reservoir be referred to the Public Works Committee with the report being made that the City is moving toward adoption. His motion was seconded by Ms. Babb and passed unanimously.

HOUSING WORKSHOP - INFORMATION RECEIVED

Mayor York indicated the Housing Workshop is being held on November 16 at the Civic Center. He stated he would only be able to attend a part of the meeting and encouraged Council members to attend the workshop. He stated also on the 16th, there is an airport luncheon in which the four governing bodies will be briefed on the long-range planning for the airport. He indicated he understood Council members elect had also been invited.

ENCROACHMENT - CHESTER ROAD - REFERRED TO PUBLIC WORKS COMMITTEE

Mr. Upchurch requested that an item relating to Tatton Place on Chester Road be referred to the Public Works Committee. He indicated they wanted to have some structures on the right-of-way, and he feels this needs to be looked into. Without objection, the item relating to Tatton Place was referred to the Public Works Committee.

COUNCILMAN UPCHURCH - EXCUSED FROM THURSDAY'S MEETING

Mr. Upchurch requested permission to be excused from the Thursday night zoning meeting, pointing out he will be leaving Raleigh at lunch time on Thursday to attend a meeting at Harvard University. Without objection, Mr. Upchurch was excused from the Thursday meeting.

CITY COUNCIL INAUGURATION CEREMONY - INFORMATION RECEIVED - REGULAR MEETING CHANGED TO 1:30 P.M.

Mayor-elect Upchurch presented Council members with an outline for the meeting of December 6. He indicated the swearing in ceremony will take place at 10:00 a.m. at the Civic Center and after that, the meeting would adjourn until 1:30 p.m. on the 6th in the City Council Chamber. Mr. Upchurch asked that Councilmen Edwards, York and Jordan be present at the swearing in ceremony. Brief discussion took place, and Mr. Upchurch moved that the meeting of December 6 convene at 10:00 a.m. at the Civic Center for the swearing in ceremony and be recessed and reconvened at 1:30 p.m. in the City Council Chamber. His motion was seconded by Ms. Babb and passed unanimously.

CABLEVISION CONCERNS - REFERRED TO CABLE ADMINISTRATOR

Ms. Babb presented a letter to the City Manager which she asked to be referred to Cable Administrator Thomas. She indicated, in addition, she saw an article by Mr. Thomas in the paper that indicated there were problems with people buying TVs that are advertised as being cable ready, but people actually have to buy or rent a converter from Cablevision. She indicated she would like for the Cable Administrator to look into this to see if the problem is sufficient to bring it up with the franchisee. She indicated the second problem relates to video recorders, pointing out apparently our system is capable of blocking out the capacity of video recorders to record. She indicated the letter she presented to the manager indicates that you cannot record automatically and questioned if this is true, and if so, why. City Attorney McCormick indicated you can only record one channel and cannot set a video recorder to automatically change channels. Ms. Babb indicated she would like for the Cable Administrator to look into these two points. Without objection, the items were referred to the Cable Administrator.

SUBDIVISION - ADMINISTRATION TO HELP

Mr. Edwards indicated he received a call from a gentleman last week who has fourteen acres of property that is unsubdivided. He indicated the gentleman plans to secure a house and move it to this property and is under a deadline or the house will be demolished before he can move it. He stated he would request Administration to work with this gentleman, if they can, to do whatever possible to get the subdivision through channels. Without objection, the item was referred to Administration.

LYDIA EMERGENCY HOME - ADMINISTRATION ASKED TO HELP

Mr. Calloway indicated, if possible, he would like to ask Administration to help Reverend Retha Whitley as it relates to the Lydia Emergency Home. He indicated the Council recently passed an ordinance relating to radius requirements, and he thought that would help her situation. However, he has now learned that Reverend Whitley's Emergency Care Home is in an inappropriate zone, and she is unable to find a location that will meet all of the requirements. He stated he would ask the City Manager to allow Mr. Wray and Mr. Watkins to offer help and services to Reverend Whitley so she can continue with her operation. City Manager Zachary indicated he had no problem within our time restraints. Ms. Babb suggested the possibility of the Human Resources Director helping Reverend Whitley find a location. Without objection, Administration was asked to help if possible.

SERGEANT AT ARMS - POSITION APPROVED - FUNDS APPROPRIATED

Mr. Calloway indicated John Baker, Sr., will be retiring from the Police Department at the end of November. He stated several members of the City Council have been interested in determining if Mr. Baker is willing to continue working for the City Council as Sergeant of Arms. He indicated in working with Administration, it has been determined that it would be possible to have him remain on on a part-time basis to work with the City Council and its various Committees. He stated an appropriate salary arrangement has been worked out and all parties agree; therefore, he would move that the City Manager be authorized to employ an individual on a part-time basis to provide support services to Council meetings and Committee meetings and to further appropriate $2,240 from Council Contingency to the Salaries Account of the City Manager's Office for this purpose. His motion was seconded by Ms. Babb. Brief discussion took place and the motion, as stated, was put to a vote and passed unanimously. See Ordinance 227 TF 9.

REQUEST AND PETITIONS OF CITIZENS - SWADE SANDERS - ADDED

Mr. Keller indicated as a point of personal privilege, he would like to add Swade Sanders to Requests and Petitions of Citizens at the night section of the meeting. He indicated Mr. Sanders has contacted the Clerk as well as the Police Department relative to a street closing that he would like to discuss with the Council. Without objection, Mr. Sanders was added.

MOTORCYCLES - VARIOUS CONCERNS - REFERRED TO ADMINISTRATION

Mr. Keller indicated he had received a number of calls relative to the increased use of motorcycles, pointing out as he understands it, there are no spaces provided in the parking decks for motorcycles. He stated the second problem deals with the fact that motorcycles are not heavy enough to trip the traffic signals at various computer controlled intersections in the City. Brief discussion took place with Mr. Keller pointing out concerns have been expressed to him by various professors at NCSU. Without objection, the items were referred to Administration.

COUNCILMEN JORDAN AND BABB - EXCUSED FROM NIGHT SESSION OF MEETING

Mr. Jordan indicated his son is involved in an athletic banquet at Sanderson High School tonight, and he would like to be excused from the night portion of the meeting. Without objection, Mr. Jordan was excused. Ms. Babb pointed out she has a speech to make relating to City activities; therefore, she, too, would like to be excused. Without objection, Ms. Babb was excused from the night portion of the meeting.

REPORT OF CITY CLERK AND TREASURER

TAXES - REBATES AND/OR REFUNDS - RESOLUTIONS ADOPTED

Council Members received two proposed resolutions in their Agenda packets which are recommended for adoption. Approval is also recommended for the listing as submitted by the Wake County Tax Supervisor for refunds made during September for clerical error purposes. Mr. Jordan moved adoption of the resolutions and the tax listings as submitted. His motion was seconded by Mr. Walters, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983) 396

A RESOLUTION ADJUSTING, REBATING OR REFUNDING PENALTIES AND RELIEVING INTEREST FOR LATE LISTING OF PROPERTY FOR AD VALOREM TAXES

WHEREAS, pursuant to G. S. 105-331, a ten percent penalty was assessed against the property owners listed below for failure to list their taxable property during the regular listing period; and,

WHEREAS, each of said property owners has shown to the satisfaction of the City Council that their failure to list on time was excusable;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the ten percent penalty assessed against the property of the following named persons be and the same is hereby adjusted, rebated or refunded as shown:

YEAR	TAXPAYER	ACCOUNT NO.	TAX VALUE	RECOMMENDATION
1983	Mary Beth Farrior	01-2-5202853	$ 4,720	Relieved
1983	Clifton Lewis	01-8-5423811	3,240	Relieved
1983	Par Five, Inc.	07-1-5251794	45,767	Relieved
1983	Josephine V. Beal Louise V. Hartness	01-2-5217878	15,290	Relieved

Section 2. That the following requests be denied:

YEAR	TAXPAYER	AMOUNT
1983	Azzam Nouman Mansour	$ 6,169

Section 3. That the City/County Tax Collector and/or the City Revenue Collector are authorized and directed to correct the tax records by making appropriate entries thereon that such penalties are rebated or refunded by order of the City Council.

Adopted: 11/15/83

RESOLUTION NO. (1983) 397

A RESOLUTION REFUNDING TAXES AS SET FORTH HEREIN

WHEREAS, the proper tax authority of the City of Raleigh has reported to the City Council that certain taxes appearing upon the tax records of the City of Raleigh, listed below, should be refunded for the reasons given; and

WHEREAS, the City Council finds as a fact that the reason in each instance for the refund of the tax is true, and that the same should be allowed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following taxes heretofore assessed be and the same ordered refunded as may be indicated below:

YEAR	TAXPAYER	ACCOUNT NO.	AMOUNT OF REFUND	REASON FOR REFUND
1983	Bythewood, Catharine A.	01-2-5226139	$ 11.59	Illegal Billing
1982	Clark, Gloria	01-2-5129887	23.70	Illegal Billing
1983	CPC International, Inc.	01-1-5249200	48.49	Illegal Billing
1983	Everett, Rebecca B.	01-2-5243462	10.45	Illegal Billing
1982	His Pet, Inc.	13-7-5839007	47.26	Illegal Billing
		Interest	1.30	
1983	McCormick, Duncan Neill	13-2-5847275	48.33	Illegal Billing
1983	Pleasant, Glenna V. Brown	01-2-5236179	50.54	Illegal Billing
1983	Reid, Yvonne	01-2-5217177	12.39	Illegal Billing
1983	Schmitt, Elizabeth M.	07-2-5243429	75.91	Illegal Billing
1983	Silverman, Jay & Selma	01-1-5027065	1.05	Illegal Billing
1983	UCB Leasing Corp.	01-1-5222655	13,215.99	Illegal Billing
1982	UCB Leasing Corp.	01-1-5222655	14,951.21	Illegal Billing

Section 2. That the City/County Tax Collector and City Revenue Collector are authorized and directed to correct the tax records by making appropriate entries thereon that such penalties are rebated or refunded by order of the Raleigh City Council.

Adopted: 11/15/83

PRELIMINARY ASSESSMENT ROLLS 1003 AND 1004 - RESOLUTIONS ADOPTED

The City Clerk presented the following preliminary assessment rolls. It is recommended that the Council adopt the preliminary assessment rolls which would set a public hearing for December 20, 1983, to consider confirmation of the costs:

Sewer AR 1003 - House Creek Outfall area

Water AR 1004 - Clifton Street

Mr. Jordan moved adoption of the preliminary assessment rolls as presented. His motion was seconded by Mr. Calloway, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983) 398

RESOLUTION DECLARING COST AND PRELIMINARY ASSESSMENT ROLL

SEWER ASSESSMENT ROLL NO. 1003

WHEREAS, by Resolution No. 1983-149 adopted by the City Council on January 20, 1983, the local improvements hereinafter referred to were authorized and directed pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, and Section 105 of Chapter 1184, Session Laws of North Carolina of 1949, as amended, as applicable; and

WHEREAS, the local improvements have been completed and it is the duty of the City Council to make an assessment of the cost thereof against the property abutting the improvement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the local improvements described as follows have been completed: Installation of approximately 600 feet of eight-inch sanitary sewer main to be installed beginning at the House Creek outfall and continuing northeastward approximately 600 feet to Parcel 17.

Section 2. That the cost of the above described improvements, exclusive of so much of the total cost as was incurred at street intersections, has been computed and determined and is hereby declared to be $11,684.36.

Section 3. That the City Council hereby makes an assessment of the cost of the local improvements herein referred to, pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, against the lots and parcels of land abutting directly on the improvements. The basis for assessment is a combination of the per lot and front footage.

Section 4. That the following assessments are hereby declared against abutting property as follows: according to the average cost as determined by the City Council under authority contained in Chapter 315 of the North Carolina Session Laws, 1963.

OWNERS ASSESSED	LOT NO.	PROPERTY I.D. NO.	SUBDIVISION LOT. NO.	AMOUNT ASSESSED
H. R. Richman, Jr.	1	0059913	-	$1,410.01
Norma B. Carroll	2	0011844	-	1,410.01
Rachel A. Watson, House Brantley	3	0001130	-	1,410.01
Seby B. and Christina B. Jones	4	0037551	Frontage Assessed 679.52	7,454.33

Section 5. That the terms and manner of payment of assessments herein provided for shall be as follows: that said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten (10) equal installments, such installments to bear interest at the rate of six percent (6%) per annum from the date of confirmation of the assessment roll, payable annually in the unpaid balance of the assessment.

Section 6. That this Assessment Roll No. 1003 is hereby ordered filed in the Office of the City Clerk and Treasurer of the City of Raleigh for public inspection.

Section 7. That a public hearing will be held on the 20th day of December, 1983, at 7:00 p.m., in the Council Chamber, Municipal Building, in the City of Raleigh, North Carolina (or at such other time and place to which the meeting of the City Council may be adjourned), for the purpose of hearing all interested persons in respect to the special assessments made by this resolution; and the City Clerk and Treasurer is hereby directed to cause to be published a notice of the completion of said assessment roll and notice of said meeting, and to mail to each owner of the property herein assessed a copy of this resolution.

Section 8. That the assessment made by this resolution is subject to confirmation as provided by Article 10 of Chapter 160A, General Statutes of North Carolina.

Adopted: 11/15/83

RESOLUTION NO. (1983) 399

RESOLUTION DECLARING COST AND PRELIMINARY ASSESSMENT ROLL

WATER ASSESSMENT ROLL NO. 1004

WHEREAS, by Resolution No. 1982-85 adopted by the City Council on November 2, 1982, the local improvements hereinafter referred to were authorized and directed pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, and

Section 105 of Chapter 1184, Session Laws of North Carolina of 1949, as amended, as applicable; and

WHEREAS, the local improvements have been completed and it is the duty of the City Council to make an assessment of the cost thereof against the property abutting the improvement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the local improvements described as follows have been completed: Installation of approximately 900 lineal feet of 24-inch ductile iron water main in Clifton Street from Harding Street to Lafayette Road.

Section 2. That the cost of the above described improvements, exclusive of so much of the total cost as was incurred at street intersections, has been computed and determined and is hereby declared to be $7,300.41.

Section 3. That the City Council hereby makes an assessment of the cost of the local improvements herein referred to, pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, against the lots and parcels of land abutting directly on the improvements. The basis for assessment is front footage.

Section 4. That the following assessments are hereby declared against abutting property as follows: according to the average cost as determined by the City Council under authority contained in Chapter 315 of the North Carolina Session Laws, 1963.

OWNERS ASSESSED	LOT NO.	PROPERTY I.D. NO.	SUBDIVISION LOT. NO.	FRONTAGE ASSESSED	AMOUNT ASSESSED
Milton and Mavis Taylor	1	0008721	29	22.0	$106.92
Alva and Deborah Mallard	2	0075931	27	60.0	291.60
Cary M. and Mandy Maddry	3	0043474	26	60.0	291.60
Martha W. McClearen	4	0045450	25	60.0	291.60
Douglas and Betty Hodd	5	0003046	24	50.0	243.00
Jesse and Beatrice Morton	6	0003045	23	60.0	291.60
J. H. Rosser	7	0061316	22	60.0	291.60
Thomas H. Bland	8	0006573	21	90.58	440.22
Sally B. Baker	9	0003572	38	53.6	260.50
Sherwood Searcy et al.	10	0000548	37	60.0	291.60
James B. Scholl	11	0062715	36	60.0	291.60
Sadie A. Moore	12	0048833	35	60.0	291.60
Joseph and Nannie Ward	13	0062716	34	60.0	291.60
Gene and Edna Austin	14	0050571	19	22.0	106.92
Leona W. Bagley	15	0002991	41-42	15.0	72.90
Elizabeth B. Caudle	16	0012463	53-54	17.0	82.62
William and Joan Robertson	17	0014918	20	60.0	291.60
Mary G. Robertson	18	0060533	19	60.0	291.60
Robert P. Curtis	19	0016423	18	60.0	291.60
Frank Reavis	20	0059165	17	91.46	444.50
Life Homes, Inc.	21	0042033	16	60.0	291.60
Wilbur B. Harris	22	0028961	15	60.0	291.60

OWNERS ASSESSED	LOT NO.	PROPERTY I.D. NO.	SUBDIVISION LOT. NO.	FRONTAGE ASSESSED	AMOUNT ASSESSED
Sue H. Atkins	23	0002535	14	50.0	243.00
Robert F. Bozart et al.	24	0077604	24	74.5	362.07
Laverne and Josephine Turner	25	0071696	25	49.0	238.14
Ruth M. Gammon	26	0024125	26	50.0	243.00
Joe and Nancy Hensgen	27	0029512	27	40.0	194.40
J. W. Daniel, Jr.	28	0016581	28	37.0	179.82

Cost Per Foot: $4.86

Section 5. That the terms and manner of payment of assessments herein provided for shall be as follows: that said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten (10) equal installments such installments to bear interest at the rate of six percent (6%) per annum from the date of confirmation of the assessment roll, payable annually in the unpaid balance of the assessment.

Section 6. That this Assessment Roll No. 1004 is hereby ordered filed in the Office of the City Clerk and Treasurer of the City of Raleigh for public inspection.

Section 7. That a public hearing will be held on the 20th day of December, 1983, at 7:00 p.m., in the Council Chamber, Municipal Building, in the City of Raleigh, North Carolina (or at such other time and place to which the meeting of the City Council may be adjourned), for the purpose of hearing all interested persons in respect to the special assessments made by this resolution; and the City Clerk and Treasurer is hereby directed to cause to be published a notice of the completion of said assessment roll and notice of said meeting, and to mail to each owner of the property herein assessed a copy of this resolution.

Section 8. That the assessment made by this resolution is subject to confirmation as provided by Article 10 of Chapter 160A, General Statutes of North Carolina.

Adopted: 11/15/83

SURPLUS PROPERTY - LOT 49, ROYAL STREET - RESOLUTION ADOPTED

On July 6, 1982, the City Council declared property known as Lot 49, Royal Street, surplus property and authorized the sale through the upset bid method, with the minimum bid being $5,200. The Method Civic League, Inc., has submitted a bid in this amount. The proper advertising has been completed with no upset bids; therefore, it is recommended that a resolution authorizing the sale of the property be adopted and that the Mayor be authorized to sign the appropriate deed. Mr. Jordan moved adoption of the resolution as outlined. His motion was seconded by Mr. Calloway, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983) 400

A RESOLUTION TO AUTHORIZE THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE CITY OF RALEIGH

WHEREAS, the City of Raleigh has acquired certain real property, said property being described more fully as follows:

ROYAL STREET, LOT 49
(Tax Overlay 521)

WHEREAS, the Method Civic League has offered to purchase said property for the sum of $5,200;

WHEREAS, Chapter 160A-266 et seq., of the North Carolina General Statutes permits the City of Raleigh to sell property subject to upset bid provisions;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the City Council on November 15, 1983, ascertained that all requirements of Chapter 160A-266 et seq., have been followed in the proposed sale of the above described property.

Section 2. That the City of Raleigh will sell the hereinbefore described property to the Method Civic League for the sum of $5,200.

Adopted: 11/15/83

ELECTION RESULTS - PRESENTED

The City Clerk presented Council members with a copy of the abstract of votes cast at the runoff election held on Tuesday, November 8, 1983. The information was received without comment. (see election results on page 1116A)

ADJOURNMENT

There being no further business, the meeting adjourned at 3:45 p.m. to be reconvened at 7:00 p.m.

Gail G. Smith
City Clerk and Treasurer

mm/sp8

1116A

EXCERPT FROM THE MINUTES OF THE CITY COUNCIL MEETING HELD ON November 15, 1983

ELECTION RESULTS - PRESENTED

The City Clerk presented Council members with a copy of the abstract of votes cast at the runoff election held on Tuesday, November 8, 1983. The information was received without comment.

ABSTRACT OF VOTES CAST AT RUN-OFF ELECTION
HELD ON TUESDAY, NOVEMBER 8, 1983 IN WAKE COUNTY,
NORTH CAROLINA, CITY OF RALEIGH FOR CITY COUNCIL ELECTORAL DISTRICTS

ELECTION PRECINCTS	ELECTORAL DISTRICT A				ELECTORAL DISTRICT B				ELECTORAL DISTRICT C				ELECTORAL DISTRICT D				ELECTORAL DISTRICT E					
	O. Morton (Mort) Congleton	Tony Maupin															Mary Cates	John A. Edwards				
Raleigh #1																	216	60				
Raleigh #2																	233	122				
Raleigh #3																	249	231				
Raleigh #4																	140	74				
Raleigh #5																	132	114				
Raleigh #6																	82	84				
Raleigh #7																	161	66				
Raleigh #8																	96	58				
Raleigh #9																						
Raleigh #10																						
Raleigh #11																	133	206				
Raleigh #12																						
Raleigh #13																						
Raleigh #14																						
Raleigh #15	133	104																				
Raleigh #16																	292	146				
Raleigh #17	130	114																				
Raleigh #18																						

ELECTION PRECINCTS	ELECTORAL DISTRICT A				ELECTORAL DISTRICT B				ELECTORAL DISTRICT C				ELECTORAL DISTRICT D				ELECTORAL DISTRICT E						
	O. Morton (Mort) Congleton	Tony Maupin															Mary Cates	John A. Edwards					
Raleigh #19																							
Raleigh #20																							
Raleigh #21																							
Raleigh #22																							
Raleigh #23																							
Raleigh #24																							
Raleigh #25																							
Raleigh #26																							
Raleigh #27																							
Raleigh #28																							
Raleigh #29																	522	250					
Raleigh #30	161	139																					
Raleigh #31																							
Raleigh #32																							
Raleigh #33																	314	123					
Raleigh #34																							
Raleigh #35																							
Raleigh #36																							
Raleigh #37	185	143															129	217					
Raleigh #38																							

ELECTION PRECINCTS	ELECTORAL DISTRICT A				ELECTORAL DISTRICT B				ELECTORAL DISTRICT C				ELECTORAL DISTRICT D				ELECTORAL DISTRICT E				
	O. Morton (Mort) Congleton	Tony Maupin															Mary Cates	John A. Edwards			
Raleigh #39	88	56																			
Raleigh #40																					
Raleigh #41																					
Raleigh #42	160	158																			
Raleigh #43	96	111																			
Raleigh #44	87	121																			
Raleigh #45	139	115																			
House Creek #1																	102	37			
House Creek #2																	323	100			
House Creek #3	86	77																			
House Creek #4	157	102																			
Leesville																	30	2			
Absentee Ballots	11	7															29	9			
TOTALS	1433	1247															3183	1899			

tate of North Carolina
ake County.

The County Board of Elections for said county and municipality, having opened, canvassed, and judicially determined the origina
eturns of the election in the several precincts in this city, held as above stated, we do hereby certify that the above is a true
bstract thereof, and contains the number of legal ballots cast in each precinct for each office named, the name of each person
oted for, and the number of votes given for each person for the office named.

This 10th day of November, 1963.

Rosa U. Gill

Margaret Person Cunningham

Wake County Board of Elections

ABSTRACT OF VOTES
CITY OF RALEIGH, NORTH CAROLI
COUNTY OF WAKE

Instructions

Three copies are to be made; one copy to be signed by County Board of Elections and delivered by them, when the canvass is concluded, to the Town Clerk, and one copy to be retained by County Board of Elections and one copy to be mailed to the Chairman of The State Board of Elections, Raleigh North Carolina.

State of North Carolina
Wake County
This day personally appeared before me Rosa H. Gill

Chairman of the County Board of Elections, who, being duly sworn, says that the abstract of votes herein contained is true and correct according to the returns made to said Board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Notarial seal, this 10th day of November, 19 83

Patricia R. DeLaughter
(seal)
Notary Public

My commission expires: 1/28/1985

The City Council of the City of Raleigh met in regular reconvened session on Tuesday, November 15, 1983, at 7:00 p.m., in the City Council Chamber of the Municipal Building with the following present:

Mayor York, Presiding
Mr. Calloway
Mr. Edwards
Mr. Keller
Mr. Upchurch
Mr. Walters
Mr. Jordan - absent and excused
Ms. Babb - absent and excused

Mayor York called the meeting to order and the following items were discussed with action taken as shown.

BOYLAN AVENUE BRIDGE DEDICATION - INFORMATION RECEIVED

Mayor York indicated a formal dedication of the Boylan Avenue Bridge was scheduled for earlier today; however, because of the rain, it had to be cancelled. Discussion took place as to whether to schedule another formal dedication, with Mr. Walters pointing out the bridge is open to traffic, and the dedication was an after the fact, and he does not see any need to reschedule the dedication. Mayor York indicated unless we hear otherwise, we would consider the Boylan Avenue Bridge as being formally dedicated.

REQUESTS AND PETITIONS OF CITIZENS

ENTERTAINMENT EXPRESS - PERMISSION TO ENCROACH ON RIGHT-OF-WAY - REFERRED TO ADMINISTRATION

Charles Willard, representing the Entertainment Express, was at the meeting to request permission to encroach on the City right-of-way to install bus stop signs. He expressed appreciation to the Council for granting him a franchise to provide what he described as a very needed service in the City of Raleigh. He indicated what he is requesting now is permission to install small signs on the City right-of-way to let people know where to get on the bus or where to be picked up. City Manager Zachary indicated some of the streets on Mr. Willard's routes are State streets, so he would have to make that request to the State. He indicated Administration recommends that he secure the right to place these signs on private property rather than City right-of-way. Mr. Upchurch questioned if he had tried to get permission to place these on private property and if Mr. Willard has checked to see if his signs will comply with our sign ordinance. Discussion took place on the fact that Archie's Bus Service signs are located on the City CAT stop signs and the fact that Mr. Willard would run into problems with having these signs in residential areas. Mr. Walters questioned why the Archie's bus signs were located on the City signs, pointing out he did not remember granting this permission. Mr. Willard indicated, in response to questioning, that the size of his signs would be similar to a stop sign. He stated none would be near a CAT stop, so he could not utilize these. He stated they would be small signs on treated lumber posts. Mayor York indicated he feels that Mr. Willard would have to be able to place signs somewhere so people would know where to get on the bus. Mr. Edwards pointed out he feels that this is a service the City needs, and he feels that we should be able to work out something so that Mr. Willard could erect signs. Therefore, he moved that this item be referred to Administration and the City Attorney to see if they could not work something out with Mr. Willard. Without objection, the item was referred to Administration and the City Attorney, with Mayor York indicating that maybe some recommendation could be made at the next meeting.

TRAFFIC AND DEVELOPMENT CONGESTION - WAKE FOREST ROAD/NAVAHO DRIVE - REFERRED TO ADMINISTRATION

Martha Carolyn Beaver, Route 2, Box 128-A, Fuquay-Varina, was at the meeting indicating she was representing people who work and live in the Grove Tower Office Building area. She pointed out presently they have a difficult time entering and exiting Wake Forest Road despite the fact that the traffic light has been installed. She presented information on a traffic study done by the State in January which indicates that over 6,000 cars use that intersection on a daily basis. She indicated within the past several months, construction has been started on the Cricket Inn and Denny's adjacent to Grove Towers, and this will make traffic even more hazardous. She stated, in addition, there is a 9.3 acre tract of land that is being surveyed for a thirteen-story office building adjacent to Grove Towers, pointing out this is in the City channels somewhere for approval in December. She indicated everyone appreciates what IBM has done for the area, but they are opposed to any further construction taking place until the traffic situation is improved. She indicated several City employees have said that it was ridiculous that the City continues to allow construction in the area. She presented a petition signed by 180 people who are affected daily by this situation. She indicated everyone realizes that growth can be beneficial if it is well managed but pointed out if it is impossible to get to and from your work place and home place, then it is not beneficial. The petition requested that the new office facility at the Navaho Drive site not be approved and that a moratorium on building be declared for the Navaho Drive area until such time as the massive traffic problems can be adequately managed.

Brief discussion took place with all Council members agreeing there is a lot of traffic in this area. Mr. Walters pointed out if the property is zoned correctly, he did not know whether there was anything the City could do to stop the construction. Mayor York suggested the possibility that maybe there are some traffic improvements that could be installed to help the situation. After brief discussion, by general consensus, the item was referred to Administration.

STREET CLOSING - 200 BLOCK OF HARRINGTON STREET - APPROVED CONDITIONALLY

Swade Sanders, 616 Method Road, was at the meeting to request that the 200 block of North Harrington Street be closed on Sunday, November 20, between 1:00 p.m. and 4:00 p.m. for a block party. Mr. Sanders indicated he was representing the Amalgamated Transit Union No. 1493. He indicated the purpose of the street closing is to have a pig picking. City Manager Zachary indicated the Police Department has investigated this request, pointing out the businesses in the 200 block will be closed during this event. The management of Greyhound Bus Company advised that they have no objections as they do not expect to be back in operation by this time. Mr. Sanders has indicated he expects between 150 and 200 people to attend and advises there will be no alcoholic beverages allowed as this will be a family activity with wives and children attending. City Manager Zachary stated Administration has no problem as long as the sponsors are required to rent adequate barricades to safely block both ends of the 200 block of North Harrington Street, with the understanding the southbound lanes of North Harrington Street will be barricaded at West North Street to prevent southbound traffic from entering a dead-end street. Provision would also have to be made for trash cleanup and cleaning up of any residue from the pig cooker which might fall on the roadway. Normal police patrols will monitor the area. Mr. Edwards moved that the request to close the street be approved with the conditions outlined by the Manager. His motion was seconded by Mr. Walters and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

UNFIT BUILDINGS AND DWELLINGS UNFIT FOR HUMAN HABITATION

NONE.

MATTERS SCHEDULED FOR PUBLIC HEARING

PUBLIC NUISANCE ABATEMENT CONFIRMATION CHARGES - 712 TOWER STREET - HEARING - RESOLUTION ADOPTED

This was a hearing to consider adoption of a resolution confirming charges in the amount of $59 for abating public nuisances at 712 Tower Street. The property is in the name of the Wiley Hunter, Heirs. He Mayor opened the hearing. No one asked to be heard, thus the hearing was closed. Mr. Calloway moved adoption of a resolution confirming charges as outlined. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983) 393

A RESOLUTION ASCERTAINING AND COMPUTING THE TOTAL COST OF ABATING CERTAIN NUISANCES IN THE CITY OF RALEIGH, CONFIRMING THE SAME AND ASSESSING THE COST OF ABATEMENT AGAINST THE PROPERTY ON WHICH THE NUISANCE EXISTED

WHEREAS, the City Council of the City of Raleigh, pursuant to Chapter 160A of the General Statutes and Sections 2.14(33), (51), 22-51 and Sections 6.35 and 6.36 of the Charter of the City of Raleigh (Chapter 1184 of the 1949 Session Laws of North Carolina as amended) has the authority to prevent, abate and declare unlawful nuisances and to make the cost of said abatement a lien against the premises where the nuisances existed; and,

WHEREAS, pursuant to said Statutes the City Council of the City of Raleigh has adopted Part 7, Chapter 5 of the Code of the City of Raleigh, relating to the abatement of nuisances;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the nuisances as set out herein have been abated at the cost set out herein, pursuant to the Code of the City of Raleigh and more specifically Part 7, Chapter 5.

Section 2. That the City Council of the City of Raleigh hereby confirms the cost of abatement of the nuisances set out herein, pursuant to the General Statutes above referred to and makes the same a lien against the premises as provided in Part 7, Chapter 5 of the Code of the City of Raleigh.

PROPERTY OWNER	LOCATION	ABATEMENT COST
Wiley Hunter, Heirs	712 Tower Street I.D. # 0034392	$ 59.00
Keith M. Williams, D. J. Dudley and Margaret H. Pipkins	700 Church Street I.D. # 0077721	$1,775.00

Section 3. That this resolution shall become effective November 15, 1983.

Adopted: 11/15/83

UNFIT DWELLINGS - 516 WEST LENOIR STREET - DEFERRED UNTIL DECEMBER 6 MEETING; 815 SOUTH EAST STREET - WITHDRAWN

This was a hearing to consider adoption of an ordinance declaring the following dwellings unfit and directing that they be placarded. The Mayor opened the hearing on each case:

516 West Lenoir Street - Collins James, Property Owner. Housing Inspections Supervisor Bartholomew indicated the Community Development Department advised that this location is scheduled to be on the next Agenda for a loan/grant combination provided they can get all of the work done by that time. He stated if it is on that Agenda, work should start within seven to ten days from that date. Brief discussion too place and without objection, it was agreed to defer action on this item until the December 6, 1983, Agenda.

815 South East Street - Lena Mae Wilson, Property Owner. Housing Inspections Supervisor Bartholomew requested this item be withdrawn as the property owner is in the process of receiving a loan/grant from the Community Development Department. He indicated this has been a long, involved process, but the loan/grant should go through and work should start immediately. Without objection, this item was withdrawn.

UNSAFE DWELLINGS - 113 POLK STREET AND 427 ALSTON STREET - HEARING - ORDINANCES ADOPTED

This was a hearing to consider adoption of an ordinance declaring the following dwellings unsafe and directing that they be demolished. The Mayor opened the hearing on each case:

113 Polk Street - Wachovia Bank and Trust for Mordecai Heirs, Property Owners. Housing Inspections Supervisor Bartholomew indicated until last Thursday, this location was scheduled to be sold to a private individual; however, apparently the State government is now going to acquire this property, and Wachovia is scheduled to board it up. Brief discussion took place, and it was agreed the best action would be to adopt an ordinance giving additional time to see if the problems could be alleviated. Mr. Upchurch moved adoption of an ordinance declaring the dwelling at 113 Polk Street unsafe effective December 21. His motion was seconded by Mr. Calloway, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1983) 237

AN ORDINANCE FINDING THAT THE BUILDING ON PROPERTY AT 113 POLK STREET IN THE CITY OF RALEIGH IS UNSAFE AND DIRECTING THAT IT BE DEMOLISHED

WHEREAS, the City Council of the City of Raleigh finds that the building on property described herein is unsafe under the provisions of Part 7, Chapter 4, Article D of the Code of the City of Raleigh, North Carolina, and entitled "Unsafe Buildings," that all of the provisions of said article have been complied with as a condition of the adoption of this ordinance; and

WHEREAS, the building on said premises should be demolished as directed by the Inspections Superintendent for the reason that the same is an unsafe building as described in Part 7, Chapter 4, Article D of the Code of the City of Raleigh;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Inspections Superintendent of the City of Raleigh be and he is hereby authorized and directed to demolish the building in the City of Raleigh at the following location:

PROPERTY OWNER	LOCATION
Wachovia Bank and Trust Company for the Mordecai Heirs	113 Polk Street

Section 2. That the cost of demolition of the building shall become a lien upon the land upon which the building was located as provided in Article IV of Chapter 7 of the Code of the City of Raleigh, North Carolina.

Section 3. That this ordinance shall be recorded in the Office of the Register of Deeds of Wake County.

Section 4. That this ordinance shall become effective December 21, 1983.

Adopted: 11/15/83

Effective: 12/21/83

427 Alston Street - Sanford Jones, Heirs, Property Owners. Housing Inspections Supervisor Bartholomew indicated the City is negotiating to acquire this property, and the Housing Authority has suggested going ahead and adopting an ordinance for demolition while they are working out the problems. He stated it will not have any affect on the action of the Housing Authority or the Community Development Department. He stated they are planning to buy the land, and if the house has been demolished, they will pay the demolition charges, and if it has not been demolished when they acquire the land, they will simply demolish the house. Brief discussion took place after which Mr. Edwards moved adoption of an ordinance declaring the house at 427 Alston Street unsafe. His motion was seconded by Mr. Walters, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1983) 238

AN ORDINANCE FINDING THAT THE BUILDING ON PROPERTY AT 427 ALSTON STREET IN THE CITY OF RALEIGH IS UNSAFE AND DIRECTING THAT IT BE DEMOLISHED

WHEREAS, the City Council of the City of Raleigh finds that the building on property described herein is unsafe under the provisions of Part 7, Chapter 4, Article D of the Code of the City of Raleigh, North Carolina, and entitled "Unsafe Buildings," that all of the provisions of said article have been complied with as a condition of the adoption of this ordinance; and

WHEREAS, the building on said premises should be demolished as directed by the Inspections Superintendent for the reason that the same is an unsafe building as described in Part 7, Chapter 4, Article D of the Code of the City of Raleigh;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Inspections Superintendent of the City of Raleigh be and he is hereby authorized and directed to demolish the building in the City of Raleigh at the following location:

PROPERTY OWNER	LOCATION
Sanford Jones, Heirs	427 Alston Street

Section 2. That the cost of demolition of the building shall become a lien upon the land upon which the building was located as provided in Article IV of Chapter 7 of the Code of the City of Raleigh, North Carolina.

Section 3. That this ordinance shall be recorded in the Office of the Register of Deeds of Wake County.

Section 4. That this ordinance shall become effective November 15, 1983.

Adopted: 11/15/83

Effective: 11/15/83

STREET IMPROVEMENTS - WAKEFIELD AVENUE - HEARING - RESOLUTION ADOPTED

This was a hearing to consider the installation of curbs, gutters, drains and paving thirty-one feet back-to-back on Wakefield Avenue from Tryon Street southward to dead end. Chief Engineer Thomas explained the location and the proposed improvements. The Mayor opened the hearing to the public.

David Smoot, a resident of Wake Forest, indicated he was at the meeting in support of the proposed improvements. He stated he was representing Dixie Development Company who is in the process of developing the property that fronts on Ashe Avenue and Wakefield. He stated they have 168 feet of frontage on Wakefield Avenue. He stated the 100-unit development on their lot should be completed within about six months, and they would like to have paved access for this development as well as emergency vehicles, garbage, etc. He stated he feels the improvements will serve a valid public purpose. No one else asked to be heard, thus the hearing was closed. Mr. Upchurch moved adoption of a resolution directing the improvements as advertised. His motion was seconded by Mr. Walters, and a roll all vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983) 401

A RESOLUTION DIRECTING THAT STREET IMPROVEMENTS DESCRIBED HEREIN BE MADE AND THE COST THEREOF ASSESSED

WHEREAS, by virtue of Article 10 of Chapter 160A of the General Statutes of North Carolina, as amended, the City Council of the City of Raleigh is authorized to direct that street improvements be made and the costs thereof assessed against abutting property owners; and

WHEREAS, a preliminary resolution indicating the intent to undertake the project has been adopted by the City Council and a public hearing thereon duly held;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following improvements be made and the costs thereof assessed against the abutting property pursuant to Article 10 of Chapter 160A of the General Statutes of North Carolina:

Installation of curbs, gutters, drains and paving 31 feet back-to-back on Wakefield Avenue from Tryon Street southward to the dead end.

Section 2. The proportion of the cost in making the aforesaid street improvements to be assessed upon an abutting property owner, to the extent that the same shall be assessable under the provisions of Resolution No. 280, as amended, shall be as follows: 100 percent of the total cost of said respective improvements which are assessable under Resolution No. 280 (i.e. one-half of each street to be improved shall be assessed and charged against the lots and parcels of land abutting directly on the respective improvements, according to the extent to their respective frontage thereof by an equal rate per foot of such frontage exclusive of so much of the cost as is incurred at street intersections in improving street intersections; the remainder of the total cost including street intersections to be borne by the City of Raleigh.)

Section 3. That property abutting on the street to be improved shall be connected with water mains, sewer mains and gas mains (if gas mains are available) located in the street adjacent to their several premises in a manner as prescribed in the Plumbing Code of the City of Raleigh and the cost thereof shall be specially assessed if the particular lot or parcel of land for and in connection with said connections are made, as provided by Article 10 of Chapter 160A of the General Statutes of North Carolina.

Adopted: 11/15/83

SEWER ASSESSMENT ROLL 1001 - LEADMINE CREEK OUTFALL AREA - HEARING - RESOLUTION ADOPTED

This was a hearing to consider adoption of a resolution confirming charges for a sewer installation in the Leadmine Creek Outfall area according to charges outlined in Resolution 1983-372, adopted on October 18, 1983. Chief Engineer Thomas explained the improvements. The Mayor opened the hearing. No one asked to be heard, thus the hearing was closed. Mr. Upchurch moved adoption of a resolution confirming the charges as outlined. His motion was seconded by Mr. Calloway, and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted and the roll confirmed at 7:29 p.m.

RESOLUTION NO. (1983) 402

A RESOLUTION CONFIRMING SPECIAL SIDEWALK ASSESSMENT ROLL NO. 194 AND SEWER ASSESSMENT ROLL NO. 1001

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That pursuant to notice of the completion of the assessment roll and notice of the meeting of the City Council hereinafter referred to, published according to law in The Raleigh Times, a newspaper legally qualified to publish legal advertising, and following a public hearing of allegations and objections of all interested persons appearing and making proof in relation thereto at a meeting of the City Council for that purpose held on the 15th day of November, 1983, at the time and place fixed in accordance with statute, the City Council of the City of Raleigh does hereby approve, ratify and confirm the assessments heretofore made by Resolution No. (1983) 371 and 372 adopted on the 18th day of October, 1983, which assessments appear on "The City of Raleigh Special Sidewalk Assessment Roll No. 194 and Sewer Assessment Roll No. 1001," against the lots and parcels of land abutting directly on the improvements, according to the extent of their respective frontage thereon, all as shown on said assessment roll which is hereby incorporated into and made a part of this resolution by reference thereto, the assessment roll being on file in the Office of the City Clerk and Treasurer.

Section 2. That from the time of the adoption of this resolution confirming the said assessments, the assessments embraced in the aforesaid assessment roll shall be a lien on the real estate against which the same are assessed as provided by statute.

Section 3. That the terms and manner of the payment of the assessments herein provided for shall be as follows: That said assessment shall be payable in cash, or if any property owner should so elect and give notice of the fact in writing to the City of Raleigh in accordance with provisions of Article 10 of Chapter 160A of the General Statutes of North Carolina, such property owner shall have the option and privilege of paying the assessments in ten equal annual installments, such installments to bear interest at the rate of 6% per annum from the date of confirmation of the assessment rolls payable annually upon the unpaid balance of the assessment.

Section 4. That the assessments confirmed by this resolution and all payments of principal and interest thereof, shall be recorded in "The City of Raleigh Special Assessment Book" which shall be maintained and kept by the City Revenue Collector, who is hereby charged with the duty of collecting and accounting for all sums of principal and interest assessed by this resolution.

Adopted 11/15/83

SIDEWALK ASSESSMENT ROLL 194 - SOUTH SAUNDERS STREET - HEARING - RESOLUTION CONFIRMING CHARGES ADOPTED

This was a hearing to consider adoption of a resolution confirming charges for the installation of sidewalks on South Saunders Street, both sides, according to charges outlined in Resolution 1983-371, adopted on October 18, 1983, known as Sidewalk Assessment Roll 194. Chief Engineer Thomas explained the project, pointing out the work was done by the State, the City will pay the State and assess the property owners for the improvements. The Mayor opened the hearing. No one asked to be heard, thus the hearing was closed. Mr. Upchurch moved adoption of a resolution confirming the charges as outlined. His motion was seconded by Mr. Walters and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted and the roll confirmed at 7:30 p.m. See Resolution 402.

PU 1983-16 - CREEDMOOR ROAD AREA - HEARING - RESOLUTION DIRECTING PROJECT ADOPTED

A hearing to consider the installation of approximately 422 feet of eight-inch sewer main beginning at the southeast corner of 6116 Creedmoor Road, continuing along the east property line of 6104 and 6100 Creedmoor Road and southward approximately 150 feet, with the assessment to be on a front footage basis. Public Utilities Director Butler explained the request pointing out Mr. and Mrs. Holding are having problems with their septic tank and requested this service. He pointed out one of the property owners involved, John Walton, is not in the City so, therefore, he would not be affected as far as assessment is concerned until such time as he hooks on the line or his property is annexed into the City. The Mayor opened the hearing. No one asked to be heard, thus the hearing was closed. Mr. Upchurch moved adoption of a resolution directing PU 1983-16 as advertised. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983) 403

A RESOLUTION TO DIRECT THAT THE SEWER OF THE CITY OF RALEIGH BE EXTENDED AND TO ASSESS COST AGAINST LAND ASSESSABLE THEREFORE

WHEREAS, by virtue of Article 10 of Chapter 160A of the General Statutes of North Carolina, as amended, the City Council of the City of Raleigh is authorized to direct that improvements be made and the cost thereof assessed against abutting property assessable therefore; and

WHEREAS, a preliminary resolution has been adopted by the City Council and a public hearing thereon duly held;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following improvements be made and the costs thereof assessed against the abutting property pursuant to Article 10 of Chapter 160A of the General Statutes of North Carolina:

PU 1983-16 - Installation of 422 feet ± of eight-inch sewer main beginning at the southeast corner of 6116 Creedmoor Road, along the east property line of 6104 and 6100 Creedmoor Road and continuing south another 150 feet, and then east fourteen feet to an existing manhole in Valley Estates.

Section 2. That 100 percent of the total cost of said improvement which can be assessed according to provisions of Part 8, Chapter 2, Article B, Section 8-2033 et seq. of the City Code be assessed against the property receiving the improvement. Assessment will be made according to the following method: Front footage of property abutting the extension. Property located at 6008 Creedmoor Road is outside the City Limits and therefore will be assessed upon annexation of this property.

Section 3. That property abutting on the street to be improved shall be connected with water mains, sewer mains and gas mains (if gas mains are available) located in the street adjacent to their several premises in a manner as prescribed in the Plumbing Code of the City of Raleigh and the cost thereof shall be specially assessed if the particular lot or parcel of land for and in connection with which said connections are made, as provided by Article 10 of Chapter 160A of the General Statutes of North Carolina.

Adopted: 11/15/83

COUNCILMAN EDWARDS - EXCUSED FROM REMAINDER OF THE MEETING AND THURSDAY'S ZONING HEARING

Mr. Edwards indicated the Council will now go into a joint hearing with the Planning Commission relating to text changes and rezonings. He stated every item will be automatically referred to the Planning Commission. He stated the same will be true for the Thursday, November 17, hearing. He stated the Planning Commission will not report back to the Council until the December 6 or a subsequent meeting; therefore, he would not be able to vote on any of the cases. He stated he would like to be excused from the rest of tonight's meeting, as well as the Thursday, November 17, meeting. Without objection, Mr. Edwards was excused from the remainder of the meeting and the Thursday, November 17, meeting.

JOINT HEARING BEFORE THE CITY COUNCIL AND THE PLANNING COMMISSION

The City Council went into a joint hearing with the Planning Commission to consider various text changes as well as requests for rezonings. Those hearings will be covered in a separate set of minutes.

Gail G. Smith
City Clerk and Treasurer

mm/sp9

ZONING MINUTES

The City Council met jointly with the City Planning Commission on Thursday, November 17, 1983, at 6:30 p.m. in the Council Chamber, Room 315 of the Municipal Building for the purpose of conducting hearings to consider applications to change the Zoning Ordinance which includes the Zoning District Map and text changes as advertised.

Members present were:

City Council	Planning Commission
Mayor York, Presiding	Mr. Woodlief
Ms. Babb	Mr. Safran
Reverend Calloway	Ms. Ridgeway
Mr. Keller	Mr. Worth
Mr. Walters	Mr. McNeely
Mr. Upchurch (absent & excused)	Mr. Solomon
Mr. Edwards (absent & excused)	
Mr. Jordan (absent & excused)	

Council Members Elect present included Mr. Congleton, Ms. Cates and Ms. Block

The meeting was called to order by Mayor York who explained the procedure for the hearing and pointed out Council Members and members of the City Planning Commission had made an on-site inspection of all the property for which rezoning is proposed at today's meeting. He asked that members who wished to speak come to the podium and give their names for the record as proceedings were being taped. Prior to each zoning case, Assistant Planning Director Breazeale identified on a map displayed on the wall the vicinity locations involved and explained requested changes, permitted uses in existing zones as well as proposed zones, and pointed out the exact location and boundaries of parcels in question.

Mayor York read the following zoning hearing procedure:

> "Over the years, North Carolina law has developed certain restrictions concerning the subjects which may be discussed by both Proponents and Opponents during public hearings on proposed zoning changes. Each zoning classification allows a group of uses rather than one use. For example, Office and Institution zoning allows not only offices but also houses, parking lots and funeral homes. It is the responsibility of the participants to discuss the proposed change only as it relates to all the uses allowed in the classification being sought. The law prohibits the Council from receiving and considering information about the specific plan the Petitioner has for property after requested zoning has been granted. Violation of these principles can bring about a successful challenge to a rezoning."

Mayor York then explained what constitutes a valid protest petition and indicated he would announce those petitions which have a valid protest petition filed against them prior to the particular case.

REZONING Z-112-83 - LEAD MINE ROAD - HEARING - REFERRED TO CITY PLANNING COMMISSION

This application calls for rezoning Lead Mine Road, east side, between Sawmill Road and Mine Shaft Road, being Parcel 1, Tax Map 351, consisting of approximately 7.5 acres requested by L. E. Wooten, Jr., to be rezoned from Residential-4 to Residential-6.

MAYOR YORK DECLARED THE HEARING OPEN.

PROPONENTS:

Attorney James Seay, 3620 Six Forks Road, was present representing the applicant noting Mr. Wooten is the developer of Brookhaven Subdivision and Glen Forest and noted he is a long standing resident of the community. He indicated this is a 7½ acre tract and originally Mr. Wooten had 28 acres, however, 16 acres were sold off and developed as Mountainbrook and he also donated 4 acres for City of Raleigh Greenway. Mr. Seay indicated Mr. Wooten would like to use the remaining portion of his land and would like to be able to upgrade the pond and construct clustered housing which would require Residential-6. He felt it would be better planning to cluster development rather than draining the pond and develop it as Residential-4. He indicated the land across the road is zoned Residential-6 and felt this is a justifiable extension of that Residential-6 and is compatible with the City's Comprehensive Plan. He indicated he has tried to discuss this with the people in the area and has detected no opposition.

OPPONENTS:

None

No one else asked to speak either for or against the proposal, thus, the hearing was closed and the matter automatically referred to the City Planning Commission.